

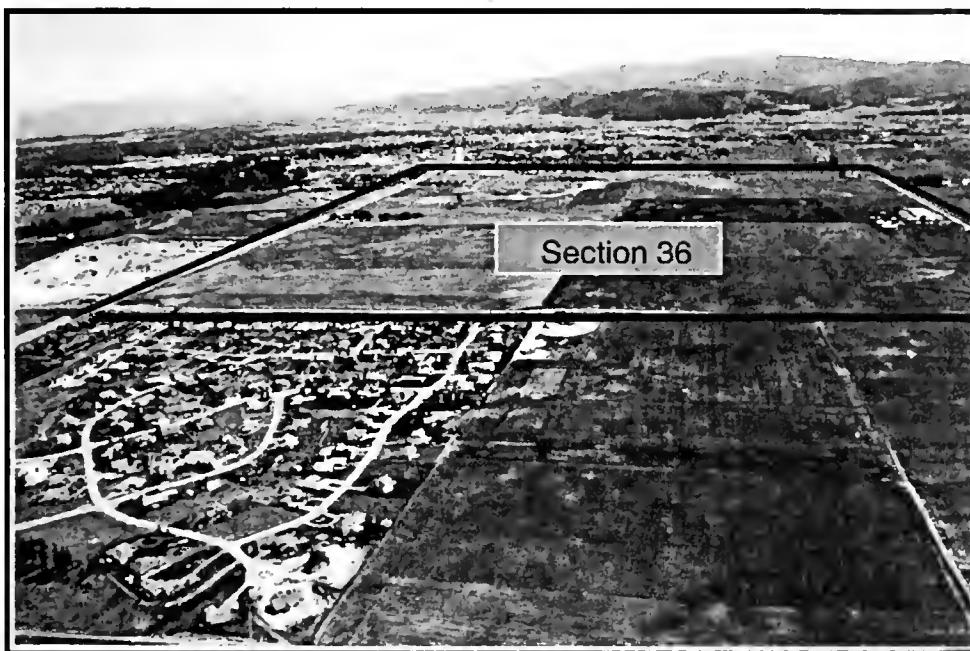
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Resources and  
Conservation

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# Draft Environmental Impact Statement – Appendices

## Section 36 Neighborhood Plan



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# SECTION 36 EIS

APPENDIX

A





## **Appendix A – Section 36 EIS** **Section 36 Planning Process**

### **Chronology of Events – Major milestones are as follows:**

December '96	Request by NWLO to participate in pending city master plan update process
May '98	DNRC contracted with a certified land use planner to help coordinate planning efforts for Section 36
May-August '98	Attendance and participation at master plan update drafting committee meetings and master plan consensus committee meetings
June '98	Preapplication conference with the Flathead Regional Development Office
Fall/winter '98	DNRC public informational meetings
April '99	Resolution by Kalsipell City County Planning Board to approve Section 36 Neighborhood Plan
May '99	Passage by the Board of County Commissioners a resolution to adopt Section 36 Neighborhood Plan
June '99	Passage by the Kalispell City Council a resolution to adopt Section 36 Neighborhood Plan
September '99	Land Board meeting decision to require MOU process before proceeding with other local review requirements
January '00	Initiated preparation of MOU
January 11, '00	<b>Hampstead Partners initiates active discussions for a High Tech Park on Section 36</b>
March 20, '00	MOU process defined by Land Board
April 17, '00	MOU approved by City Council
April 19, '00	MOU approved by County Commissioners
May 15, '00	MOU approved by Land Board



June 7, '00	DNRC issues request for proposals for portion of Section 36
June 27, '00	MEIC/ Citizens For A Better Flathead file suit against DNRC based upon a MEPA process argument
August , '00	Receive proposal from Hampstead Partners to build high tech park
October 17, "00	DNRC selects proposal from Hampstead for further evaluation via the MEPA process
November 28, '00	Summary judgement hearing by court
December 11, '00	Preliminary injunction prevents annexation of Section 36
January 5, '01	<b>Judge orders DNRC to prepare “appropriate MEPA review” on neighborhood plan</b>

### **Chronology of Public Involvement –**

May-August '98	All public meetings held by master plan update and consensus meetings sponsored by the Kalispell City-County Planning Board
August 19, '98	DNRC sponsored public meeting at the Summit
August 31, '99	DNRC presentation to Country Estates Homeowners Association Board
September '98	Direct contact meetings with DOT, Kalispell Chamber of Commerce, Don Spivey (Citizens For a Better Flathead), Dan Heskett of North Haven
September 24, '98	DNRC meeting with Country Estates Homeowners Association
September 30, '98	DNRC sponsored public meeting at the Summit
October 14, '98	DNRC presentation at Kiwanis
October 22, '98	DNRC presentation at the Buffalo Head Homeowner's Association
November 17, '98	DNRC sponsored public meeting at the Summit
December 14, '98	DNRC sponsored public meeting at the Summit



January 4, '99	Information update with County Commissioners
January 12, '99	DNRC work session with the Kalispell City-County planning Board
February 24, '99	DNRC meets with Citizens For A Better Flathead and other parties
March 9, '99	Public hearing by the Kalispell City-County Planning Board
April 13, '99	Public hearing by the Kalispell City-County Planning Board
April 20, '99	Public hearing by the Kalispell City-County Planning Board
May 20, '99	Public hearing by the Flathead County Commissioners
June 7, '99	Public hearing by the Kalispell City Council
Sept 20, '99	Public comments at Land Board on Section 36 process
March 20, '00	Public comments at Land Board on Section 36 process
April 17, '00	Public hearing by City Council on MOU
April 19, '00	Public hearing by County Commissioners on MOU
May 15, '00	Public comment on MOU prior to adoption by Land Board



# SECTION 36 EIS

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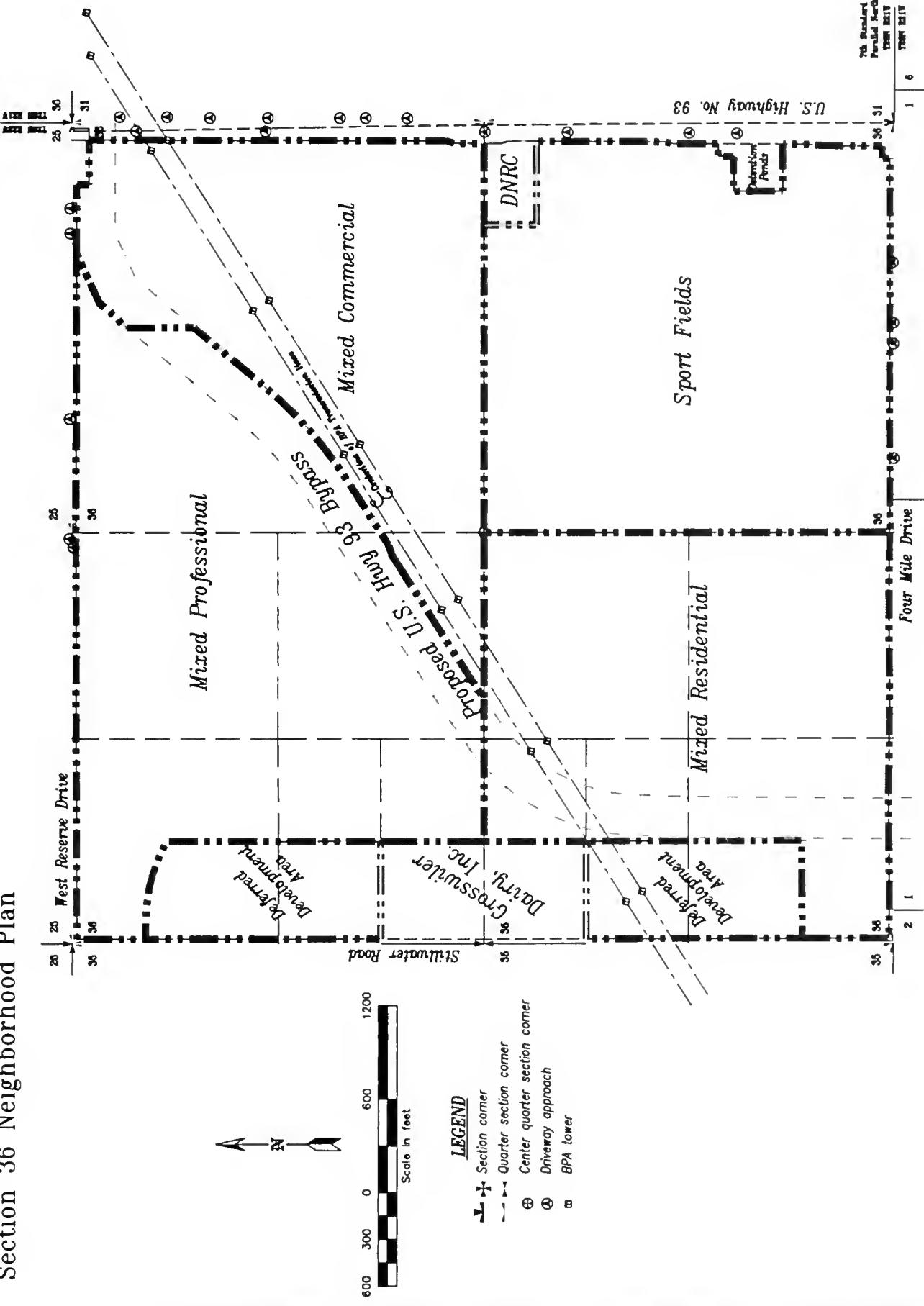


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## Section 36 Neighborhood Plan

U.S. Highway No. 93  
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# SECTION 36 EIS

## APPENDIX

Is Neighborhood Plan  
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C





Section 36

# **Neighborhood Plan**



## INTRODUCTION

This document is a land use plan to guide the future use and development of School Trust Land generally described as being located within Section 36, Township 29N, Range 22W, P.M.M. The Montana Department of Natural Resources and Conservation (DNRC) is a state agency responsible, in part, for the management of School Trust Lands. Section 36 is located adjacent to the northerly city limits of Kalispell. The DNRC has prepared this plan in consideration of 2 primary objectives: (1) to achieve a public mandate to generate revenue for the state school system and (2) consider issues of neighborhood compatibility and relationships to local land use plans and regulations.

It is the intent of this planning process to integrate with the Kalispell City County Master Plan. This will be accomplished by incorporating the plan for Section 36 into the Kalispell Master Plan via the master planning process identified under Section 76-1-601 et seq, MCA. This will involve public hearings and approval by the Flathead Board of County Commissioners and the City Council of Kalispell. A "state" planning process involving school trust lands that seeks to integrate into the local planning process is a new concept. Under Montana statutes, the DNRC is mandated to .... "seek the highest development of state-owned lands in order that they might be placed to their highest and best use and thereby derive greater revenue for the support of the common schools, the university system, and other institutions benefitting therefrom, and that in so doing the economy of the local community as well as the state is benefitted as a result of the impact of such development," Section 77-1-601, MCA. Other Montana codes essentially exempt state properties from being subject to most zoning (76-2-402, MCA) and subdivision (Section 76-3-205, MCA) provisions. Despite the apparent advantage that some of these exemptions may offer, this Plan is proposing that all development proposals in Section 36 adhere to local planning and zoning regulations. By following this plan, the long term objectives to generate revenue for the school trust fund and promotion of neighborhood compatibility can be achieved.

The DNRC considered, in the development of section 36, the sale of all or a portion of the section in order to provide revenue for the trust beneficiaries. Procedures established for the sale of state land can be found in the Montana Code Annotated, Chapter 77, Part 2.. The current Board has adopted a policy of not entertaining any new land sale proposals. This policy was adopted, in part, because of the rapid increase in land values in Montana and the Board's perception that the sale of any portion of the core trust asset (land base) is not in the best long term interest of the beneficiaries. Also, the policy was adopted due to the contentious nature of state land sales and the cumbersome process established in statute for these sales. Therefore, this plan was developed with a primary emphasis on long term lease arrangements rather than land sales. However, future Boards are not bound by the current Board's policy and may elect to sell all or a portion of the subject state land. This plan seeks to provide direction for any future land use decisions that are made through either lease arrangements or sale.

A "state" neighborhood plan also differs in other respects from other neighborhood plans. Not only does the plan involve lands in state ownership but the plan also anticipates a long term development scenario. Based on a number of considerations and circumstances, this plan is likely to have application over a period of decades as opposed to a traditional time period of less than 10 years. Integral components of the plan include identification of land use pods, phasing of development, and performance standards for development.



## Plan Development Process

### Justification

Section 36 is located on the north side of Kalispell. The SE1/4 of the Section is within the city limits of Kalispell. All but approximately 20 acres of Section 36 is state-owned and managed as school trust land. The property is within the northerly growth pattern of the City. Consideration of this property for future development and expansion of the city limits is essential for a variety of reasons, among which is to minimize leap frog development beyond this property to less desirable locations.

The DNRC has long recognized the need for a land use plan for the property. The north side of Kalispell is experiencing rapid change and development pressures. In the absence of a comprehensive land use plan for the property, decisions on use proposals can be made without understanding the cumulative affects of incremental decision-making relative to such fundamental considerations as transportation, extension of services, and compatibility of uses. Had a plan been in place several years ago, more informed decisions may have been possible concerning such proposals as the city sports complex and routing of the west side bypass, which now greatly influence how the remaining property can be effectively utilized.

In an effort to wisely plan for future growth in Section 36, the DNRC decided to undertake a neighborhood planning process. Although this process was not formerly underway until the spring of 1998, an initial proposal to "master plan" the property was made by the DNRC in 1991 and a formal request for funding was made in 1997 when the West Valley Neighborhood planning process was underway.

As suggested in the "Introduction" section of this Plan, the development of a neighborhood plan on state-owned lands is unique. Why subject state property to specific land use goals and policies when it is exempt from most planning regulations? Section 36 is somewhat unique among state-owned lands. Factors favoring the development of a plan for this particular section include the following:

- ▶ Portion of the property (25%) is already inside the city limits;
- ▶ One mile of frontage (east side) along U.S. Highway 93;
- ▶ Bisection of the property by the proposed West Side Bypass;
- ▶ One mile of frontage (north side) along West Reserve Drive, a minor arterial;
- ▶ One mile of frontage (south side) along Four Mile Drive;
- ▶ One mile of frontage (west side) along Stillwater Road;
- ▶ Industrial and neighborhood commercial uses on the east side of U.S. Highway 93;
- ▶ Moderate to dense residential development to the north of property;
- ▶ Urban scale development to the south of property;
- ▶ Community college on the east side of U.S. Highway 93; and
- ▶ City utility services available for extension to property.



Based upon these and other characteristics, the property can no longer be labeled as "fringe" lands. The property is best described as "urban-interface" and should be planned accordingly. The difficulty with this label is public perception. State-owned lands are perceived by many as being held in perpetuity as forest or agricultural lands, when in fact, school trust lands, such as Section 36, were granted by the federal government to Montana for the sole purpose of generating revenue for the Montana school system. Section 36 retains an agricultural "appearance" but revenue from the lease of land for agricultural purposes is modest compared to other revenue options so the transition to non-ag uses can and should be expected in the near future. How that transition occurs will be guided by this plan.

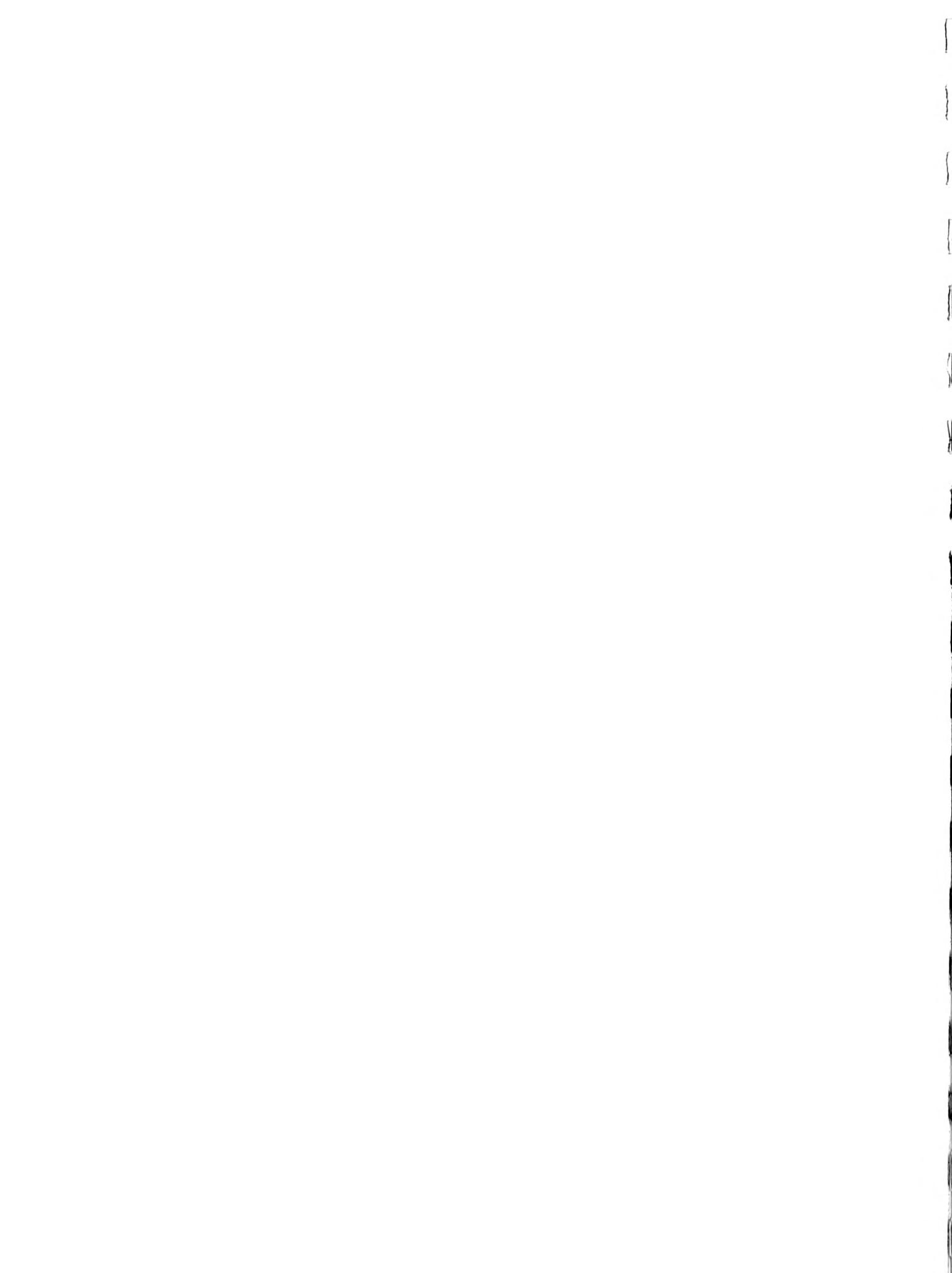
## Process

The Kalispell DNRC Office hired a consultant in May 1998 to initiate a planning process for Section 36. The role of the consultant also included representing the interests of the DNRC in the ongoing process by the Kalispell City County Planning Board to update the Kalispell City-County Master Plan.

A Neighborhood Planning process was selected as the preferred strategy for preparing a land use plan for Section 36. This process encourages an active participation by the public, especially those owning property in the immediate vicinity. The planning effort was not constrained or otherwise affected by any preconceived or preferred outcome by DNRC nor was the planning effort spearheaded by any pending actions or proposals on the land. An overall guiding premise was to seek neighborhood compatibility of uses within the constraints of the DNRC's role as a land manager responsible for generating the largest legitimate return of revenue from the leasing of school trust lands. Other underlying premises of the planning effort were that (1) no lands would be sold or conveyed as separate lots, and (2) the DNRC would not directly participate in the development of the land. In other words, all proposed uses would be developed on leased lots and the DNRC would not participate in the development of any structures, roads, infrastructure, or any other improvements.

## Public Involvement

Public involvement was encouraged via several avenues. Initially, a list of potentially interested parties was prepared by the consultant and DNRC personnel, including names of adjoining landowners and/or homeowner associations and public officials. This initial list was used to announce the first in a series of 4 general public meetings. The mailing list was expanded to include all meeting attendees and others showing an interest in the process. Another effort to gain public exposure and input into the process was to attend various homeowner association meetings, meet individually with interested parties, and speak at various club meetings. All public meetings held by the DNRC concerning the



planning process were held at the Summit in Kalispell. The scope of each public meeting is briefly outlined below.

Meeting 1. This meeting was held on August 19, 1998. The purpose of this initial meeting was to introduce the planning concept to the public and seek public involvement in the process. A base map of the property and surrounding area was presented.

Meeting 2. This meeting was held on September 30, 1998. The purpose of this meeting was to present a draft land use map that depicted 4 land use pods. A list of land uses associated with each POD was handed out to the audience and discussed. Attendees were asked to send any comments or suggestions to the consultant. The participants discouraged such uses as the fairgrounds, strip commercial, and casinos.

Meeting 3. This meeting was held on November 17, 1998. The purpose of this meeting was to present the goals and policies of the plan and the draft transportation plan. Overheads were used to discuss the goals and policies. All attendees received copies of the land use map, transportation map, and goals and policies.

Meeting 4. This meeting was held on December 14, 1998. The purpose of this meeting was to address all the issues raised by the public since the start of the process. This was facilitated by handing out an issue/response form. The format of the meeting was question/response. A time schedule for adoption of the plan was also presented.

As noted previously, various agency officials were also invited to participate in the process. Among those was the chair of the Kalispell City-County Planning Board, City Manager and Mayor of Kalispell, and Flathead County Board of Commissioners. In an effort to more adequately inform these governing bodies of the process and progress, work sessions were held with the Commissioners and with the Planning Board in January 1999.



## State School Section 36

### Kalispell, Montana

**PLANNING STATEMENT:** *It is in the best interest and to the great advantage of the state of Montana to seek the highest development of state-owned lands in order that they might be placed to their highest and best use and thereby derive greater revenue for the support of the common schools, the university system, and other institutions benefitting therefrom, and that in so doing the economy of the local community as well as the state is benefitted as a result of the impact of such development (77-1-601, M.C.A.).*

---

**NEIGHBORHOOD GOALS:**

- ① To establish a framework for the review of land use options and proposals
- ② To provide for a systematic and logical development pattern by considering phasing and priority of development between land use pods and within land use pods
- ③ To recognize the preference of the State of Montana to "lease" rather than to "sell" land



- ④To maintain a pleasing highway corridor entrance to the city of Kalispell
- ⑤To consider issues related to the proposed west side bypass alignment and power line corridor that bisect the property
- ⑥To seek a compatible mix of land uses within the property and with that of the surrounding area
- ⑦To identify an integrated internal transportation system that serves to link land use pods and minimize approaches onto public roads
- ⑧To seek a “level of services” consistent with the rate, amount, type, and location of development
- ⑨To identify acceptable criteria for development

The land use plan for Section 36 is guided by these general Neighborhood goals and by the goals and policies of four (4) distinct land use PODS. The land use pods were identified based on a variety of parameters including scale, type, and density of nearby land uses; associated transportation network; compatibility of uses; and other considerations, such as public comment. For example, the mixed residential pod is located away from the highway, abuts other residential areas, and is more



"remote" in terms of access. The mixed professional pod is bounded by the alternate route for U.S. Highway 93 (bypass) on the south and by West Reserve Drive on the north, a minor arterial. Most types of retail commercial uses in this area were contrary to neighborhood opinion. The proposed uses in the professional pod provide an excellent transition of uses between the proposed highway uses and the "suburban" area located on the north side of West Reserve Drive. The identification of the mixed commercial pod adjacent to the highway is appropriate given the highway and bypass influences. Phasing policies of this plan establish additional safeguards to the logical development pattern of the property. Refer to the Land Use Map (MAP Exhibit A) for the locations of the PODS. Uses appropriate to each POD are listed in Text Exhibit A.



## **MIXED COMMERCIAL**

The Mixed Commercial POD is located on the west side of U.S. Highway 93. The development strategy for this POD is to provide a suitable location for commercial uses at an urban scale density without creating a strip commercial appearance. Certain commercial uses are restricted and highway adjacent landscaping is required. This area is expected to be annexed and provided with a full range of city services. Development of this POD has priority over the development of the other land use PODS.

GOALS:

- ①To identify the appropriate location for commercial uses
- ②To minimize the appearance of highway strip development
- ③To identify appropriate commercial uses
- ④To identify appropriate development standards

Policies:

12. Retail commercial development should have convenient access onto U.S. Highway 93 via no more than 2 controlled access intersections;
13. Individual commercial uses should not have direct access onto the highway but should be served by a secondary internal road system;
14. Uses should not have a highway orientation and lease lot boundaries should



be setback from the highway right-of-way to provide for a continuous and commonly held highway landscape corridor;

- 15. City services, including water and sewer, are expected to be extended to the commercial pod as soon as practical based upon considerations of demand, type of use, and land use density.
- 16. Use allowances should allow for a mix of commercial and professional office opportunities but “strip-type” uses characterized by substantial outdoor storage and display of products, such as car lots and trailer sales should be avoided;
- 17. Taverns and gaming/gambling uses are inappropriate;
- 18. A village or cluster concept of development is encouraged versus a linear orientation of uses;
- 19. A common landscape philosophy should include street trees and plantings associated with parking lots and buildings;
- 20. Exterior lighting should be low profile and direct light inward and downward;
- 21. Signage should be low profile by permitting only ground and wall signs. Freestanding (pole) signs should not be permitted;
- 22. Exterior appearance of walls and/or roofs of commercial buildings visible from the Highway should contain architectural elements found on the “front” portions of the buildings. Walls and surface planes should be broken up in such a manner as to create a visual interest, avoiding monotony. Applied finishes of buildings should be predominantly earth tones.
- 23. Buildings having a footprint size greater than 60,000 sq ft shall be located a minimum of 300 feet from the highway right of way; and
- 24. All portions of the lot area lying outside the building footprints and parking lot(s) shall be landscaped and irrigated.



## **MIXED PROFESSIONAL**

The Mixed Professional POD is generally located between the alternate route for U.S. Highway 93 (bypass) and West Reserve Drive. The land use theme is more "office" rather than retail commercial. Development priority and intensity of use is from east to west to provide a gradual transition into the more rural landscape to the west. Development is expected to be at a "suburban" density. The need for city services and annexation will be evaluated as development interests become more apparent. This POD is identified for Phase II development priority.

### **GOALS:**

- ①To identify an area suitable for transitional commercial uses, such as offices and other similar and compatible uses
- ②To establish use priorities and phasing of development
- ③To seek neighborhood compatibility via establishment of performance criteria for all new development

### **Policies:**

1. Offices are preferred uses. Retail commercial uses should be discouraged except for small convenience retail as normally permitted in a neighborhood business zoning classification;
2. Restrict development of non-agricultural uses to less than 20% of the pod until



at least 50% of the Mixed Commercial pod is leased for development. This 20% allowance shall not permit freestanding retail or convenience commercial uses. This limitation would not apply to school or equestrian facilities.

3. The development pattern of nonagricultural uses will be from east to west to (1) encourage the maximum amount of infill via clustering of uses, (2) prevent scattered development patterns within the pod, and (3) maximize the amount of continuous area available for agricultural practices at any given time.
4. Promote a generous green space requirement around all structures, including the provision of common pedestrian trails;
5. City services, including water and sewer, are expected to be extended to the mixed professional pod as soon as practical based upon considerations of demand, type of use, and land use density.
6. Structures should not exceed 35 feet in height and should have natural earth tones as the primary exterior color;
7. Uses should have an inward orientation with no direct frontage onto any public road;
8. Agricultural uses and activities are acceptable;
9. Exterior lighting should be low profile and direct light inward and downward;
10. Signage should be low profile by specifically excluding freestanding signs other than ground signs; and
11. Landscaping adjacent to roadways and parking lots will be encouraged. All portions of lots lying outside the building footprints or paved surfaces shall be landscaped and irrigated.



## **MIXED RESIDENTIAL**

The Mixed Residential POD is generally described as being located in the SW1/4 of Section 36. The transportation plan suggests a realignment of Four Mile Drive to improve traffic circulation in the area. The primary land use theme is "residential" but other compatible uses are also permitted. This POD is identified as Phase III in terms of development priority. The development priority and intensity will be from east to west and south to north, with the lowest priority of development on the west side of the proposed by pass alignment. The need for city services will depend on the type and intensity of uses that develop within the POD. Apartments, dormitories, or a large office complex are examples of uses that would benefit from city services.

### **GOALS:**

- ①To identify an area for transitional residential uses that may include a mix of residential, quasi-residential, and office uses
- ②To recognize roadway access limitations from Four Mile Drive
- ③To seek neighborhood compatibility through establishment of performance criteria, development priorities, and phasing

### **Policies:**

1. Restrict development of non-residential and non-agricultural uses to less than



20% of the pod until at least 50% of the Mixed professional pod is leased for development or 50% of this pod is occupied by residential uses, whichever comes first. This limitation would not apply to public facilities.

2. Promote a generous green space requirement around all structures, including the provision of common pedestrian trails;
3. The development pattern of nonagricultural uses will be from east to west or south to north to (1) encourage the maximum amount of infill via clustering of uses, (2) prevent scattered development patterns within the pod, and (3) maximize the amount of continuous area available for agricultural practices at any given time.
4. City services, including water and sewer, are expected to be extended to the mixed residential pod as soon as practical based upon considerations of demand, type of use, and land use density.
5. Structures should not exceed 35 feet in height and should have natural earth tones as the primary exterior color;
6. Uses should have an inward orientation with no direct frontage onto any public road;
7. Agricultural uses are acceptable;
8. Exterior lighting should be low profile and direct light inward and downward;
9. Signage should be low profile by specifically excluding freestanding signs other than ground signs; and
10. Landscaping adjacent to roadways and parking lots will be encouraged. All portions of lots lying outside the building footprints or paved surfaces shall be landscaped and irrigated.



## **SPORT FIELDS**

The City of Kalispell has entered into a 40 year lease with the DNRC for most of the SE1/4 of Section 36. The property is being developed as a sport field complex. This plan recognizes this existing lease and does not intend to modify any provisions of that existing lease. Any change to the lease agreement that would anticipate alternative land uses or mode of operation would be subject to an amendment to the Kalispell City County Master Plan.

### **GOALS:**

- ①To recognize an existing lease arrangement with the City of Kalispell for a sports field complex
- ②To provide linkages to the sports fields from other land use pods
- ③To consider appropriate land uses adjacent to the sport fields

### **Policies:**

1. Consider opportunities to provide pedestrian pathway and roadway connections between the sports fields and other land use pods;
2. Provide a land use transition buffer, if appropriate, between the sports complex and other land use pods; and
3. Encourage the development of support services for tourists and visitors to the sports fields, primarily in the adjoining Mixed Commercial pod.



## TRANSPORTATION

The State school trust section is approximately 1 mile square. The property is bordered on the east by U.S. Highway 93, on the north by West Reserve Drive, on the west by Stillwater Road, and on the south by Four Mile Drive. The proposed alternate route (bypass) of U.S. Highway 93 bisects much of the property. It is the intent of this plan to minimize the number of new approaches onto these existing transportation corridors. Map Exhibit A identifies a primary internal transportation system for the property. The map is meant to depict the general locations of these collector roads. The exact locations and alignments will be determined upon further review by regulatory agencies, engineering evaluations, and land development considerations. Not shown are the secondary roads that would provide more immediate access to individual developed lease sites.

### GOALS:

- ①To minimize the number of approaches onto the existing public transportation system
- ②To identify the general alignment of the internal collector roads
- ③To recognize the proposed alignment of the alternate U.S. Highway 93 (bypass) through the property

### Policies:

1. Attempt to limit the number of approaches onto the county roads as shown on



the Land Use Map or to a spacing of no less than 1,300 feet;

2. Prohibit direct access of any individual use onto any of the perimeter public roads;
3. Attempt to coordinate approach alignments, whenever possible, with those on opposite sides of the highway/county roads;
4. Consider the realignment [and related abandonment] of Four Mile Drive as shown on the Land Use Map;
5. Provide for an internal connection between land use pods including a crossing of the highway bypass near the center of the Section and as shown on the Land Use Map;
6. Coordinate the development of the road system with phasing of development;
7. Attempt to identify opportunities for a coordinated system of pedestrian trails in conjunction with development proposals;
8. Provide landscaping adjacent to all developed roads;
9. Clearly define lessee responsibility for roadway improvements and proportionate share of maintenance; and
10. Minimize the intrusion of structural facilities within the proposed highway bypass alignment.



## IMPLEMENTATION

The DNRC agrees to voluntarily adhere to the provisions of this plan and to any zoning regulations adopted pursuant to this plan. As such, the DNRC and lease proposals will be subject to the same level of plan and zoning review as any other non-government entity. Amendments to this Plan and subsequent zoning requests will follow the procedures set forth by state statutes as applicable to the private sector. The purpose of this self regulation is to enhance public confidence in this plan and to promote a well planned community entrance to Kalispell.

### GOALS:

- ①To use this plan by the DNRC and land use regulatory agencies as a “blueprint” for the wise use and development of the State School Trust land
- ②To seek adoption of this Plan as an official amendment to the Kalispell City-County Master Plan
- ③To identify responsibilities for development of common elements by individual lease holders
- ④To adhere to local zoning regulations adopted pursuant to the provisions of this plan

### Policies:

1. Individual lease holders shall be responsible for the development of all the



infrastructure, including roads, water supply, sewage treatment, electricity, telephone, and landscaping necessary to serve the use;

2. All utility extensions shall be underground;
3. Encourage orderly development by promoting a primarily east to west infill pattern in the Mixed Professional and Mixed Residential land use pods. The Land Use Map indicates a "Green" buffer on the west side of the Section that is not intended to be developed for any non agricultural use until at least the year 2010;
4. Common or shared service and landscape elements will be subject to special assessments for the care and maintenance of those elements;
5. Lease agreements with individual lease holders should include reference to the adopted plan and identify individual responsibilities of development, including consideration of architecture, open space, landscaping, travel ways, and extension of services;
6. The proposed west side highway bypass alignment may be considered for non-structural uses pending actual securement of the right-of-way by the appropriate federal/state authorities;
7. The DNRC should adhere to the provisions of this plan when particular uses or activities are proposed for the property;
8. A Montana Environmental Policy Act (MEPA) review and analysis will be prepared for each proposed lease consistent with state law;
9. Seek a cooperative process between the DNRC and the Flathead Regional Development Office (FRDO) to check compliance with the goals and policies of this plan whenever a particular use is proposed; and
10. Attempt to adopt zoning regulations as a mechanism to assist in the



implementation of this plan, especially relative to such aspects as the type and location of uses. A Memorandum of Agreement shall be sought with the affected governing bodies to ensure state compliance with the adopted zoning regulations.



## TEXT EXHIBIT A

### MIXED COMMERCIAL

Assembly halls, coliseums, stadiums  
Beverage shops, coffee or wine  
Car wash  
Churches  
Community meeting halls  
Convenience stores  
Convention center  
Cultural facilities (museums, theaters, libraries, etc)  
Day care homes or centers  
Delicatessens  
Educational facilities (private and public schools , colleges, and universities; trade schools, music, dance, theater lessons)  
Equestrian facilities  
Farming of crops  
Financial services and institutions  
Food stores  
Gardens and horticultural facilities including nurseries  
Gas stations  
Health clubs  
Light Industrial (No outside storage or outside assembly, no stack emissions)  
Medical and dental facilities  
Motels  
Offices, private or public  
Parks, private or public  
Personal care facilities (massage, barber/beauty, tanning)  
Public or quasi public buildings (fire stations, chamber of commerce facilities, etc)  
Radio or television broadcast stations  
Recreational facilities, outdoor or indoor (tennis courts, bowling alley, golf course, ice skating arenas, swimming pool, etc)  
Recreational theme parks (zoos, aquariums)  
Recreational vehicle parks  
Retail facilities (e.g., baked goods, clothing, gifts, drug, pharmacies, furniture, hobby, flowers, art, music, shoes, antiques, candy, sporting goods)  
Restaurants (no liquor sales – beer and wine only)  
Travel agencies



Veterinary services and facilities

Warehouse retail

MIXED PROFESSIONAL

Beverage shops, coffee or wine

Car wash

Churches

Community meeting halls

Convenience stores

Cultural facilities (museums, theaters, libraries, etc)

Day care homes or centers

Delicatessens

Educational facilities (private and public schools , colleges, and universities; trade schools, music, dance, theater lessons)

Equestrian facilities

Farming of crops

Financial services and institutions

Gardens and horticultural facilities including nurseries

Health clubs

Medical (including nursing homes and elder care) and dental facilities

Offices, private or public

Parks, private or public

Personal care facilities (massage, barber/beauty, tanning)

Public or quasi public buildings (fire stations, chamber of commerce facilities, etc)

Recreational facilities, outdoor or indoor (tennis courts, bowling alley, golf course, ice skating arenas, swimming pool, etc)

Recreational theme parks (zoos, aquariums)

Residential care facilities (nursing, assisted living, retirement)

Travel agencies

Veterinary services and facilities

MIXED RESIDENTIAL

Churches

Community meeting halls

Day care homes or centers



Dormitories (college)  
Dwellings, single or multifamily  
Educational facilities (private and public schools , colleges, and universities; trade schools, music, dance, theater lessons)  
Equestrian facilities  
Farming of crops  
Gardens and horticultural facilities including nurseries  
Manufactured home park (class "A" only)  
Nursing homes and elder care  
Offices, professional  
Parks, private or public  
Public or quasi public buildings (fire stations, chamber of commerce facilities, etc)  
Recreational facilities, outdoor or indoor (tennis courts, golf course, ice skating arenas, swimming pool, etc)  
Residential care facilities (nursing, assisted care, independent, retirement)

#### SPORTS FIELDS

Ball fields (e.g. soccer, football, baseball, softball, tennis, volleyball)  
Skating rink (public only)  
Concession stands (accessory only)



# SECTION 36 EIS

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4/25/2001



MEMORANDUM OF UNDERSTANDING

This Memorandum of Understanding is entered into this 19 day of April, 2000 by and between the Montana Department of Natural Resources and Conservation (hereinafter DNRC), Flathead County and the City of Kalispell.

WHEREAS, Section 36, Township 29N, Range 22W, PMM, Flathead County, Montana was deeded to the State of Montana and is held in trust as School Trust Land and is administered by DNRC;

WHEREAS, DNRC may, in the future, permit development of all but tract 2 of Section 36 (hereinafter Section 36);

WHEREAS, DNRC prepared a neighborhood plan for Section 36 which was adopted as an Amendment to the Kalispell City-County Master Plan by the Board of Commissioners of Flathead County on May 20, 1999 by Resolution 790-O and the City Council of Kalispell on June 7, 1999 by Resolution 4480;

WHEREAS, DNRC desires to seek adoption of zoning regulations that would help implement the adopted neighborhood plan;

WHEREAS, DNRC seeks to permit development of the property in accordance to the adopted plan and associated zoning;

WHEREAS, DNRC will be subject to local subdivision regulations;

WHEREAS, DNRC is also subject to the provisions of the Montana Environmental Policy Act (MEPA);

WHEREAS, DNRC is obligated under the Enabling Act and the Montana State Constitution to acquire the full appraised value or fair market value of lands to the school trusts;

WHEREAS, the costs of providing government services to the subject property will be evaluated concurrent with annexation procedures that require an extension of services plan and all other City regulations pertaining to development;

WHEREAS, the City of Kalispell is in no way compelled to annex property should the estimated revenue from taxes or other sources generated from development of the property be insufficient to pay for the required public services;

WHEREAS, DNRC was directed on September 20, 1999 by the Board of Land Commissioners to prepare an MOU addressing the issues of planning, zoning, subdivision review and MEPA.



NOW, THEREFORE IT IS HEREBY AGREED THAT:

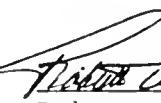
(1) any proposed lease on Section 36 involving a change of use or division of land shall be subject to review under local planning, zoning, and subdivision regulations; and

(2) any proposed lease on Section 36 involving a change of use or division of land shall be subject to the appropriate MEPA review and analysis, in conjunction with the local application and review process; and

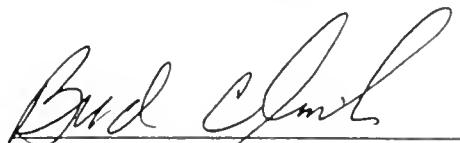
(3) DNRC will require any lessee of any property on Section 36 to agree to pay as due all real and personal property taxes including beneficial use taxes assessed against the lease property and lessee's personal property and equipment installed and located upon the leased property, in addition to any special assessments that might be apportioned to the property. DNRC, understands and acknowledges, as owner of the said Section 36, that private use of said property is subject to a "beneficial use" tax and provided in Section 15-24-1201, et sec.; and

(4) DNRC will require any municipal utilities extended to, and any infrastructure improvements installed within, said Section 36 to be designed and installed in compliance with the City of Kalispell Standards for Design and Construction.

Dated this 19 day of April, 2000.

By:   
Robert W. Watne  
Chairman  
Board of Commissioners  
Flathead County

By:   
Wm. E. Boharski  
Mayor  
City of Kalispell

By:   
Arthur "Bud" Clinch  
Director, Department of  
Natural Resources and  
Conservation



# SECTION 36 EIS

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### Definition:

A district to promote orderly growth and development via the application of zoning regulations on state school trust lands consistent with the provisions of the **Section 36 Neighborhood Plan** adopted jointly by the Board of County Commissioners and Kalispell City Council. These zoning regulations identify three distinct land use "sub"-districts with associated permitted uses and general performance standards that have application district-wide. The provision of Section 27.22.120, City of Kalispell Zoning Ordinance shall apply.

**MP - Mixed Commercial:** A highway influenced district where a variety of commercial industries are appropriate and where community design [to minimize the appearance of strip commercial development] is desirable. Strip-type uses characterized by substantial outdoor storage and display of products, such as car lots and equipment and trailer sales are specifically excluded. Also specifically excluded as permitted uses are gaming/gambling establishments of any kind, including casinos. The range of permitted uses are intended to permit a variety of uses associated with the retail, professional services, or technology industries but does not necessarily limit or restrict opportunities for continued agricultural operations or practices.

Permitted Uses. Examples of appropriate land use categories and uses follow. Listed examples of uses or uses within categories are not intended to be exhaustive but are included to demonstrate intent.

1. Agriculture (farming, livestock, riding academies, stables, horticulture, nursery, etc)
2. Automobile service (fuel, wash, mechanical repair, tires, etc)
3. Barber & beauty services, massage parlor, etc
4. Cultural facilities (museums, theaters, libraries, etc)
5. Educational facilities (private and public schools, colleges, universities, trade schools, music, dance, theater lessons, educational research or incubator facilities, etc)
6. Financial services and institutions (banks, credit unions, mortgage companies, savings & loans, etc)
7. Healthcare (medical offices/clinics, dental/orthodontic, in-patient/outpatient facilities, pharmacies, diagnostic services and treatment, etc)
8. Office, professional/governmental
9. Park, private or public (may include open space, trails, passive or developed facilities, etc)
10. Public assembly buildings (assembly halls, coliseums, stadiums, convention center, etc)
11. Public or quasi public buildings/structures (fire/law enforcement stations, community /homeowner facilities, water tower, electrical distribution/stations lines, telephone relay equipment, etc)
12. Radio/television broadcast stations, internet companies, etc
13. Recreational facilities, outdoor/indoor, private/public or quasi-public,



commercial/non-commercial (tennis courts, bowling alley, golf course, ice skating arenas, ball fields, swimming pool, zoo, amusement park, community center gym, health/fitness club, driving range, etc)

14. Research, technical, or business parks (may include indoor assembly of parts, limited outdoor storage, product distribution)
15. Restaurant (deli, bakery, fast food, sit-down, beverage shop, drive-through, etc)
16. Retail facilities/enterprises (clothing, convenience, food, sporting, book, office products, drug, computer, phone, hardware, tire, plumbing, electrical, furniture, art, household, gifts, mall, warehouse discount, etc)
17. Tourist accommodations (motels, hotels, bed & breakfast, campground, recreational vehicle park, etc)
18. Veterinary services and facilities
19. Worship buildings (churches, synagogues, etc)

Property development standards for (1) minimum lot area, (2) minimum lot width, (3) minimum yards, (4) maximum building height, (5) permitted lot coverage, (6) off-street parking, and (7) maximum fence height shall be consistent with Section 27.17.040, City of Kalispell Zoning Ordinance unless otherwise specified herein or by language within the adopted neighborhood plan (see Section 27.22.132).

**MP - Mixed Professional Office:** A district providing opportunities for development of offices, office parks, and compatible uses in a fashion that promotes clustering of uses and architectural control.

Permitted Uses. Examples of appropriate land use categories and uses follow. Listed examples of uses or uses within categories are not intended to be exhaustive but are included to demonstrate intent.

1. Agriculture (farming, livestock, riding academies, stables, horticulture, nursery, etc)
2. Automobile convenience (fuel, wash, & convenience retail, only, i.e. no mechanical service)
3. Barber & beauty services, massage parlor, etc
4. Cultural facilities (museums, theaters, libraries, etc)
5. Educational facilities (private and public schools, colleges, universities, trade schools, music, dance, theater lessons, educational research or incubator facilities, etc)
6. Financial services and institutions (banks, credit unions, mortgage companies, savings & loans, etc)
7. Food/grocery store
8. Healthcare (medical offices/clinics, dental/orthodontic, in-patient/outpatient facilities, pharmacies, diagnostic services and treatment, etc)
9. Office, professional/governmental
10. Park, private or public (may include open space, trails, passive or developed facilities, etc)
11. Public or quasi public buildings/structures (fire/law enforcement stations, community /homeowner facilities, water tower, electrical distribution/stations lines, telephone relay equipment, etc)



12. Radio/television broadcast stations, internet companies, etc
13. Recreational facilities, outdoor/indoor, private/public or quasi-public, commercial/non-commercial (tennis courts, bowling alley, golf course, ice skating arenas, ball fields, swimming pool, zoo, amusement park, community center gym, health/fitness club, driving range, etc)
14. Restaurant (excludes food drive-up service but permits drive-up beverage service and take and bake establishments and sit-down facilities)
15. Retail enterprises less than 3000 square feet in gross floor area(excludes tavern, gaming, or casino facilities/operations)
16. Veterinary services and facilities
17. Worship buildings (churches, synagogues, etc)

Property development standards for (1) minimum lot area, (2) minimum lot width, (3) minimum yards, (4) maximum building height, (5) permitted lot coverage, (6) off-street parking, and (7) maximum fence height shall be consistent with Section 27.08.040, City of Kalispell Zoning Ordinance unless otherwise specified herein or by language within the adopted neighborhood plan (see Section 27.22.132).

**MP - Mixed Residential:** A district providing opportunities for development of residential uses, offices, and other compatible uses in a fashion that promotes clustering of uses and architectural control.

Permitted Uses. Examples of appropriate land use categories and uses follow. Listed examples of uses or uses within categories are not intended to be exhaustive but are included to demonstrate intent.

1. Agriculture (farming, livestock, riding academies, stables, horticulture, nursery, etc)
2. Educational facilities (services/facilities for pre-K or K-12 only)
3. Office, professional/governmental
4. Park, private or public (may include open space, trails, passive or developed facilities, etc)
5. Public or quasi public buildings/structures (fire/law enforcement stations, community /homeowner facilities, water tower, electrical distribution/stations lines, telephone relay equipment, etc)
6. Recreational facilities (limited to non-commercial facilities)
7. Residential (day care or day care centers; dormitories or fraternities (college); dwellings: single family; duplex; or multi-family; manufactured home park (class 'A' only); Nursing homes and elder care; retirement home, etc)
8. Worship buildings (churches, synagogues, etc)

Property development standards for (1) minimum lot area, (2) minimum lot width, (3) minimum yards, (4) maximum building height, (5) permitted lot coverage, (6) off-street parking, and (7) maximum fence height shall be consistent with Section 27.07.040, City of Kalispell Zoning Ordinance for residential uses unless otherwise specified herein or by language within the adopted neighborhood plan (see Section 27.22.132).

### **Performance Standards:**



1. Transportation and Parking
  - a. General access to this district from U.S. Highway 93 shall be limited to no more than 2 approaches. New approaches onto Reserve Drive, Stillwater Road, and Four Mile Drive shall generally be limited to a minimum spacing distance of 1,300 feet or as otherwise authorized by the access permitting agency;
  - b. All uses shall have direct access from the internal road system. No direct access to a particular use shall be permitted from the Highway or the other perimeter public roads as listed in 1a, above;
  - c. The collector road system shall be as generally shown by the map included within the adopted neighborhood plan and as more precisely aligned by subsequent engineering analysis, use patterns, and subdivision review;
  - d. All roadway improvements shall be built in accordance with city of Kalispell road design standards;
  - e. Roadway design shall include provisions for landscape boulevards and sidewalks;
  - f. Lighting shall be shielded and directed downward; and
  - g. Parking space requirements and general parking lot design shall be guided by the parking and loading provisions of the City of Kalispell Zoning Regulations. Parking landscape requirements (see 27.26.030(6)) may be satisfied by common area landscaping adjoining any parking area. Front and side yard parking shall be permitted in the Mixed Professional Office and Mixed Commercial sub-districts of the MP-1 zoning district as described in Section 27.26.030(2)(e)1 and 27.26.030(2)(e)2, respectively.
2. Landscaping
  - a. Landscaping, to include lawn, shrubs, trees, and/or rock gardens, shall comprise all open spaces within the boundaries of the parent lease lot. Parking lots may extend to within 5 feet of any lot/lease lot boundary.
  - b. Buildings shall be set back a minimum of 20 feet from the side, front, and rear of the parent lot/lease lines.
  - c. Parking lots serving multiple businesses where the area for parking spaces exceeds a lineal length or width of 270 feet shall include internal landscape islands having minimum dimensions of 9 feet by 18 feet at a ratio of 1 island for every 15 continuous parking spaces when such spaces are located internal to the parking lot (not abutting the perimeter boundary to the parking lot or store front);
  - d. A landscape boulevard having a minimum width of 4 feet shall parallel both sides of the collector roads shown on the neighborhood plan map. Street trees acceptable to the City of Kalispell shall be planted at 40 to 50 foot intervals as appropriate.
  - e. Sidewalks or pathways shall connect developed properties to the roadside sidewalks (see 1e, above);
  - f. All landscaped areas shall be irrigated and routinely maintained; and
  - g. An irrigated landscape corridor of at least 20 feet in width shall parallel the right of way of U.S. Highway 93 adjacent to the commercial POD. The corridor should include undulating topography and have a mix of tree plantings with a ground cover of predominately lawn.



3. Building and [lease] Lot Parameters

- a. Buildings should not exceed 35 feet above natural grade. Architectural enhancements of building facades extending above 35 feet are not necessarily excluded but are subject to review and approval by the City of Kalispell Site Development Review Committee;
- b. Applied finishes of buildings shall be predominately earth tone;
- c. Buildings shall have an orientation towards the internal road system;
- d. Ground and wall signs may be used to identify a single use lease lot or multiple uses within a common lot/lease area. Ground signs shall have natural earth tones and not contain any exterior plastic, plexiglass, or similar components. The ground sign shall not have internal lighting or sign-mounted external lighting. Shielded lighting may be provided from ground-mounted fixtures directed towards the sign face. Ground signs may have a concrete or similar mounting base but in no situation shall the total height of the sign exceed 8 feet. Total ground sign area shall not exceed 160 sq ft. Wall signs may have internal lighting and shall not exceed a sign face area of 80 sq ft.;
- e. In situations involving a commercial or office town home, condominium or sublot design, only the parent lot is eligible for a common ground sign. Individual uses are eligible for a wall sign if the use has outside frontage. A common wall sign may be appropriate to identify a building having multiple tenants. A common signage plan that involves other types of building signage, such as canopy signage, may be permitted subject to the review and approval of the City of Kalispell Site Development Review Committee. Residential uses shall be permitted signage as otherwise permitted by the City of Kalispell zoning regulations. All other provisions of the Kalispell sign regulations shall apply when consistent with the restrictions set forth herein;
- f. The exterior appearance of commercial buildings with "backs" facing, adjacent, and visible from Highway 93 shall contain architectural elements found on the "front" portions of the buildings. Walls and surface planes should be broken up in such a manner as to create a visual interest, avoiding monotony;
- g. Lease lots with single or multiple buildings shall have sufficient area to accommodate the size of the proposed building(s) and required on-site parking plus sufficient area for landscaping exterior to the building and parking lot ( see 2a & 2b, above);
- h. A single lease lot may contain buildings with multiple tenants and/or uses or be comprised of multiple attached or detached buildings. In such situations, landscaping, parking, and internal access shall be common to all buildings within the lease lot; and
- i. Commercial buildings or combination of buildings on a single lease lot exceeding 60,000 sq ft total gross floor area (where no sublots have been established) shall be set back a minimum distance of 300 feet from U.S. Highway 93.

4. Extension of Services

- a. All required services shall be underground; and



b. Annexation and provision of city services shall be subject to the approval of the city of Kalispell.

5. Growth Management

- a. Development of property shall conform to the general provisions of the neighborhood plan consistent with Section 27.22.120 of these regulations.
- b. Phase I is the Mixed Commercial Pod.
  - i. Clustering of uses is preferred to encourage sharing of roads, parking, utilities, and common design. However, separation of uses, such as "large" from "small" or "commercial" from "industrial" may be appropriate within the Commercial POD.
  - ii. Development design is intended to avoid a "strip" commercial appearance with specific exclusion of certain uses.
- c. Phase II is the Mixed Professional POD.
  - i. Clustering of uses is preferred to encourage sharing of roads, parking, utilities, common design, and to prevent a scattered development pattern within the POD.
  - ii. Infill of developed uses, with some exceptions, such as schools, agricultural facilities, and equestrian facilities, shall be from east to west. The "Section 36 Neighborhood Plan Map" also designates an area along Stillwater Road that is excluded from non-agricultural development until the year 2010.
  - iii. Development of non-agricultural uses shall be restricted to no more than 20% of this POD until at least 50% of the Mixed Commercial POD is leased for development. This 20% allowance shall not permit freestanding retail or convenience commercial uses. School and equestrian facilities may be permitted at any time and are not subject to the 20% calculation.
- d. Phase III is the Mixed Residential POD.
  - i. Clustering of uses is preferred to encourage sharing of roads, parking, utilities, common design, and to prevent a scattered development pattern within the POD.
  - ii. Infill of developed uses, with some exceptions, such as schools, agricultural facilities, and equestrian facilities, shall be from south to north or from east to west. The "Section 36 Neighborhood Plan Map" also designates an area along Stillwater Road that is excluded from non-agricultural development until the year 2010.
  - iii. Development of non-residential and non-agricultural uses shall be restricted to no more than 20% of this POD until at least 50% of the Mixed Professional POD is leased for development or 50% of this POD is occupied by residential uses, whichever comes first. This limitation does not apply to public facilities.

6. Supplementary Regulations

- a. Accessory uses shall be permitted as appropriate to a particular use and as generally set forth in Section 27.22.020 et seq. Subsections 2a and 2b shall generally apply to residential uses within any of the sub-districts of the MP-1 zoning district. Subsections 2d and 2e would apply as appropriate to non-



- residential uses in any of the sub-districts of the MP-1 zoning district.
- b. The greenbelt provisions of Section 27.22.050 shall be interpreted and applied concurrent with subdivision review.
- c. The principal structure provisions of Section 27.22.060 as applicable to "B", "P", and "I" districts shall apply to the Mixed Commercial and Mixed Professional Office sub-districts of the MP-1 zoning district so as to permit multiple structures within a single lot or lease lot.
- d. The creation of sublots (for leasing purposes) may be appropriate in situations involving residential, commercial, office, and industrial uses. Section 27.22.130 is hereby amended to permit the creation of sublots in the Mixed Commercial, Mixed Professional Office, and Mixed Residential sub-districts of the MP-1 zoning district.
- e. All other provisions of the Chapter 27.22 of the City of Kalispell Zoning Regulations shall apply as appropriate.



# SECTION 36 EIS

APPENDIX

F



4/25/2001



# Kalispell Business and Technology Park

Special Lease Proposal  
State School Trust Land  
Kalispell, Montana  
Section 36, T29N, R22W  
August 2000

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**HAMPSTEAD PARTNERS, INC.**  
**1205 Prospect Street, Suite 450**  
**La Jolla, California 92037**  
**858-456-6500**



# Hampstead Partners, Inc.

Investment Division

Voice (858) 456-6500  
Fax (858) 456-9590

August 4, 2000

Chris Foster  
Direct (858) 551-5302

Ms. Jeanne Fairbanks  
Montana Department of Natural Resources & Conservation  
2705 Spurgin Rd.  
Missoula, MT 59804

**RE: Response To Special Lease Proposal  
60-Acre Portion Section 36, State Lands**

Dear Ms. Fairbanks:

We have attached our response to the State's Request for Special Lease Proposal dated August 6, 2000. Please also find these additional attachments:

1. Bid Deposit in the form of a Cashiers check in the amount of \$35,153. If our proposal is accepted, the DNRC may use up to \$20,000 of the Bid Deposit toward the cost of an environmental review under MEPA.
2. Non-refundable application fee in the amount of \$50

Please contact me with any questions or requests for further clarification or additional materials. We look forward to working with you.

Sincerely,

Hampstead Partners, Inc.



Chris Foster  
President



**RESPONSE TO REQUEST FOR SPECIAL LEASE PROPOSAL  
SECTION 36, STATE LANDS**

This memorandum sets forth the basic terms under which Hampstead Partners, Inc. and McComic Consolidated, Inc. are prepared to enter into a lease with the State of Montana to lease a 60 acre portion of a parcel known as Section 36 of the State Lands. It is our understanding that the State is to select a prospective master lessee with whom to work out more specific terms to be contained in a formal lease agreement.

4.1 This proposal has been prepared in accordance with the provisions contained within the Request For Special Lease Proposal (RFSLP) dated August 6, 2000. The reader may assume that unless otherwise so stated that all provisions of our response are to be consistent with the RFSLP. The DNRC has the right to accept this proposal within 90 days of completion of the MEPA process.

**Proposed Construction and Operation (Statement of Intent and Need)**

4.2 ***Business and Technology Park.*** If successful in gaining the right to develop the site, the proposer plans to construct a 53.8-acre (gross usable) business and technology park to be known as the *Kalispell Business and Technology Park* on what now is a 60-acre parcel inclusive of a future highway right of way. Net rentable land area under the plan would be approximately 46 acres. We have no current plans to develop the remainder of the 60 acres covered by the contemplated highway right of way. Although we plan to facilitate the construction of various buildings on site, including approximately 40,000 square feet of *flexible tech* and office space for our joint venture partner in the park, Venue Tech Systems, the scope of this proposal primarily relates to land improvements and leasehold operations associated with the improved land itself.

4.5 ***Land Improvements.*** The proposer plans to construct land improvements within the confines of the 53.8 acres which shall include roads, street lighting and underground utilities, as well as significant landscaping and monuments at entrances to the park. We have attached a preliminary site plan outlining the proposed placement of such land improvements and the layout of the various lots. The proposer reserves the right to modify the site plan as may be appropriate after additional study and engineering.

The proposer would construct the land improvements in 2 phases over a 3-year period (see phasing plan on preliminary site plan). Total hard onsite construction costs related to land and infrastructure improvements are estimated to be 3,235,000. Hard offsite improvement costs are estimated to be 753,000. For a more detailed summary of contemplated improvements please see the attached site plan in conjunction with the proforma.

HP is to be responsible for facilitating the expenditures necessary to improve the park and is to receive any and all revenues generated there from over the holding period.



**Conformance With Neighborhood Plan.** All improvements, landscaping and improvements are to comply with the Neighborhood Plan unless otherwise approved.

1. Neighborhood Plan Policies are complied with as follows:
  - a) Only two controlled access intersections are proposed to existing U.S. Highway 93.
  - b) Individual uses do not have direct access onto the highway and are served by a secondary internal road system.
  - c) A commonly held landscape corridor/open space buffer is provided along Highway 93 and uses are oriented to the internal road system not to Highway 93.
  - d) City services, including water and sewer, will be extended to the site as soon as practical based upon considerations of demand, type of use, and land density.
  - e) Uses will include a mix of commercial and professional office. "Strip" type development characterized by substantial outdoor storage and display of products will be limited. Outside storage will be limited to areas behind buildings and be shielded from view from Highway 93 and the internal roads by buildings, fencing and landscaping.
  - f) Taverns and gaming/gambling uses will not be allowed.
  - g) A cluster concept of development is proposed with common open space amenities including a park and landscaped pedestrian linkage to adjacent commercial development.
  - h) Landscaping will have a common philosophy to include paving, street trees and plantings associated with parking lots and buildings.
  - i) Exterior lighting will be low profile and direct light inward and downward.
  - j) Signage will be low profile ground and wall mounted only. No pole-mounted signage will be permitted.
  - k) The exterior appearance of walls and roofs of buildings visible from Highway 93 will contain elements found on the "front" portions of the buildings. Walls and surface planes will be broken-up in such a manner to create visual interest and avoid monotony. Applied finishes of buildings should be predominantly "earth tones."
  - l) Buildings having a footprint size of greater than 60,000 square feet will be located a minimum of 300 feet from the Highway 93 right-of-way.
  - m) All portions of the individual lots lying outside the building footprints and parking lots will be landscaped and irrigated.



2. Adequate access, drainage and storm water run-off retention/detention shall conform to any jurisdictional authority's requirements will be provided. Design of these facilities will be done at the time of preparation of subdivision documents and when building permit applications are submitted for individual buildings.

3. Proof of acceptance of plans prior to beginning any construction will be provided at the appropriate time in the process of development of the project and when building permit applications are submitted for individual buildings.

#### 4.5

***Leasehold Operations.*** This proposal pertains to the operation of a business and technology park on a sublease basis related to land improvements. Building improvements are to be considered separately and are to be the sole responsibility of the proposer and subleasees (subject to the restrictions to be contained in the CC&Rs and Neighborhood Plan). Buildings would be constructed under three scenarios:

1. ***Leasehold Sale.*** Under this scenario users would obtain a leasehold interest in lots developed from the proposer and construct their own building improvements on site (in accordance with strict CC&Rs governing the use of the park to insure compliance with environmental regulations and to maintain value of both the 60 acres under consideration as well as surrounding lands).
2. ***Build-to-Suit.*** Under this scenario the proposer would construct buildings for various users and either sell them to the user on a turnkey basis or enter into a lease arrangement with such user (as is planned for VTS).
3. ***Speculative Construction.*** The proposer (or perhaps outside developers who might purchase a leasehold interest in one of the various lots within the park from us) might construct a speculative building on site for either single or multiple users. Again, strict CC&Rs would govern such uses.

***Operations.*** The proposer would operate the park in such a manner as to attract business tenants desiring a clean, very well thought out and designed business environment within the Flathead Valley. The park would be marketed both locally and on a national basis. We believe that the presence of our master tenant, Venue Tech Systems, will assist our team in attracting such tenancy, to include high-profile technology companies looking to expand to markets with strong labor pools. Venue Tech will be financially incentivized to bring in such users. Companies seeking to meet the outside contracting needs of VTS would also be likely future tenants within the park.

The proposer has already entered into discussions with officials at Flathead Community College aimed at furthering the goals of providing incubator space, training and a source of skilled labor for such users should our proposal be accepted. We have also been exploring means by which we can provide a menu of financial incentives from local, state and federal sources such as low interest rate loans, training, etc. for potential users.



4.2 ***Market Need.*** The proposer will commit considerable resources to marketing the park. Part and parcel to our marketing efforts will be the creation of a professionally designed web page profiling the Flathead Valley and the advantages associated therewith as well as nationally distributed marketing brochures and other materials.

We have commissioned an extensive market study related to the park and have received a draft copy of the report. As indicated within the report, to some extent, the very need for a park such as that proposed is demonstrated by the fact that our JV partner, VTS, desires to move and expand from its location in a nearby lesser improved park in Evergreen. Secondly, there is no such master planed park located within the Valley. Need is further demonstrated by the comments that we have received from the director of the Flathead Valley Port Commission, Myrt Web, indicating that he has had several inquires from companies desiring to locate in the Valley if they could find suitable quarters. HP also intends to be a bidder to construct a new State office building on site.

***Benefit To Surrounding Communities, Lands and Neighborhoods.*** Many participants at a recent technology conference held in Great Falls on the 25<sup>th</sup> and 26<sup>th</sup> of June highlighted the importance to the State's economy of expanding the opportunities for and attraction of high technology users to the state. Hampstead has made presentations related to the park before the Kalispell City Council and has received support for its proposed plans from the Counsel and from the City Manager, Chris Kukulski (see attached letters of support). It is expected that the proposed development will house businesses creating as many as 2,500 or more jobs.

A clean, well designed and operated business and technology park such as that proposed will be of significant benefit to the School Trust not only in terms of income derived directly from master lease payments related to Section 36 paid to the State, but also in terms of the value that such a park and the infrastructure associated therewith brings to the area and surrounding neighborhoods in terms of property values and real wages to residents. This benefit has already been demonstrated by the increase in real estate values since Stream International has moved into the Kalispell area.

A side benefit of the proposed development is the facilitation of infrastructure improvements along highway 93. Adequate City water service now stops at the Flathead Community College and there is no sewer service to the site or to the neighborhoods to the north of the subject property. Parties have raised the specter of future ground water contamination if additional septic systems are placed in the vicinity. Because the City of Kalispell is so much in support of the proposed park, it has allocated municipal monies to study infrastructure and engineering issues and to apply for State and Federal assistance pertaining thereto in an effort to assist in facilitating development of the park.

4.1 **Proposer**

Hampstead Partners, Inc. and McComic Consolidated, Inc. are to joint venture the development and operate the proposed business and technology park and would form a single purpose entity or LLC for the purposes of entering into a lease with the State. The mailing address and primary contact for the venture is:



Chris Foster or Jay Wentz  
Hampstead Partners, Inc.  
1205 Prospect St., Ste. 450  
La Jolla, CA 92037

Phone #: (858) 551-5300  
Fax #: (858) 456-9590  
Email: [chris@hampstead.com](mailto:chris@hampstead.com)  
[jay@hampstead.com](mailto:jay@hampstead.com)

Venue Tech Systems (VTS) is to have a limited profit participation interest in the venture and is to serve as anchor tenant for the proposed business and technology park to be constructed on the site (as described below).

Because the proposer is to form a new single purpose entity for the purpose of constructing and operating the park, no financial statements are available related to the entity itself. For additional information contact Chris Foster at (858) 551-5302.

4.3

#### Development Team Qualifications (See Attached Resumes and Materials)

**Hampstead Partners.** Hampstead Partners, Inc. (HP) is to act as managing partner. HP and its principals have extensive experience with community development activities, both inside and outside the state of Montana. Our most recent community development projects in the state are recipients of a HUD Best Practice Award this year.

HP is well capitalized and partly owned by Sol Price (see biographical information attached). This association not only provides the firm with an excellent source of capital, it also affords us the opportunity to benefit from the extensive development and business experience of Price Entities and its former REIT. Jack McGrory, former San Diego City Manager heads the Price real estate division.

**McComic Consolidated.** McComic Consolidated (McComic) and its president, Barry McComic, is very well qualified to develop the subject property, having developed several million square feet of industrial and office properties nationally, including master-planning the Rancho Bernardo Industrial Park, the largest such park in San Diego. McComic also has development experience in the Flathead Valley where it was involved in the development of the 300-acre golf course, marina, hotel and time share development, Harbor Village in Big Fork.

**Venue Tech.** Venue Tech Systems (VTS), a cutting edge technology company, is a local firm currently located in Evergreen. The firm is undergoing significant growth. VTS currently has 50 employees and has plans to expand to over 200 within the coming 2 years. It is contracting with some of the most high profile technology companies in the nation, including Microsoft and Cymbal Technologies for the use of its point of service operating systems.

VTS has entered into a contract with HP to own a 10% share of the proposed park should our team be selected. It plans to contract with HP and McComic to construct a



40,000 s.f. build-to-suit corporate facility on 4 to 5 acres within the park this coming winter. It is contemplated that the facility would house as many as 200 employees over the coming 2-3 years.

Venue Tech's participation in the park will be beneficial in 3 (or perhaps more) ways:

1. VTS will be an anchor tenant helping to insure the financial viability of the park from day one.
2. Given its expansion plans and the addition of a considerable number of new employees, the firm's participation will assist the development team and the City of Kalispell to attract State and Federal monies to construct infrastructure needed for the park (and surrounding areas).
3. Its location within the park will be a draw to other high technology users and outside contractors.

4.4

#### Financial Ability

The team has extensive financial resources and access to equity/financing. This will be important not only pertaining to improvement and operation of the land itself, but also for the purposes of operating and developing out the park for users (constructing their facilities, etc.)

The financial viability of our proposal is further enhanced by the fact that we have already secured an anchor tenant (VTS). The anchor's plans to expand its operations will further our efforts to secure State and Federal resources with which to construct improvements, etc.

While the market related to business park development is to some degree untested in Northwest Montana, we believe that the attached proforma is further indication of the financial viability of the project and the cash flows expected to be associated therewith. Projected breakeven occupancy in terms of land lease tenants is approximately 75%. The manner in which our lease payments are structured and our ability to attract low interest rate financing as well as the preleasing activities having taken place to date should be of benefit to sustaining such viability and to insuring that the park will come to fruition.

4.6

#### Minimum Annual Rent

Annual rent is to be calculated as follows:

*Flat rent:* The flat rent to be paid to the State is \$.10 per square foot (\$117,127 on phase one and \$234,253 per year on the entire parcel). This is to be phased in over the first 3 years starting with no rent in the first year, a minimum of 50% of the applicable rent in the second year and 100% in year 3 going forward (please see attached proforma). The flat rent is to be paid quarterly.

In year 20, the minimum State Flat Rent is to be adjusted based on the improved value of the land, including site and infrastructure costs, less a minimum return equal to 20% of gross rental receipts to the proposer.



*Contingent Rent/Income Participation:* Starting in year six, the projected time that the proposed park is estimated to reach stabilized occupancy, the State is to receive a 10% share in any years gross income less debt service and the flat rent listed above, non-cumulative.

*Phasing/Lease Option.* Development of the park would be phased in accordance with the attached site plan. Proposer is to have up to five years to exercise their option to lease the lands related to phase II. Option payments of \$13,068 per year are applicable.

*Total Projected Rents.* Based on the attached proforma, the cumulative *projected* income (rent plus option payments) for the State is expected to be \$439,560 in the first 5 years and \$705,918 in years 1 through 6 (stabilization) and a total of \$8,375,297 in years 1 through 40. Projections notwithstanding, the proposer cannot guarantee that they will exercise the option for phase II and are asking that the option be open for the first five years. It is also impossible to predict with any accuracy what changes in the State rent might be applicable at the 20 year anniversary date going forward (for the purposes of our projections we are assuming that the total rent, including contingent rent, will be enough to satisfy the requirement that on the 20<sup>th</sup> yr. the rent be based on an improved value.

4.5

#### Lease Term

The initial proposed lease period is to be 40 years with an option to renew for an additional 20 years. The renewal rent is to be set at a level not to exceed 10% of the appraised value of the land at the time of renewal (including site and infrastructure improvements) less a minimum return equal to 20% of gross rental receipts to the proposer.

Lots and buildings within the park would be leased at terms commensurate and consistent with the expiration and other terms of the master lease with the DNRC.



## Proposed Construction and Operation (Statement of Intent and Need)

***Business and Technology Park.*** If successful in gaining the right to develop the site, the proposer plans to construct a 53.8-acre (gross usable) business and technology park to be known as the *Kalispell Business and Technology Park* on what now is a 60-acre parcel inclusive of a future highway right of way. Net rentable land area under the plan would be approximately 46 acres. We have no current plans to develop the remainder of the 60 acres covered by the contemplated highway right of way. Although we plan to facilitate the construction of various buildings on site, including approximately 40,000 square feet of *flexible tech* and office space for our joint venture partner in the park, Venue Tech Systems, the scope of this proposal primarily relates to land improvements and leasehold operations associated with the improved land itself.

***Market Need.*** The proposer will commit considerable resources to marketing the park. Part and parcel to our marketing efforts will be the creation of a professionally designed web page profiling the Flathead Valley and the advantages associated therewith as well as nationally distributed marketing brochures and other materials.

We have commissioned an extensive market study related to the park and have received a draft copy of the report. As indicated within the report, to some extent, the very need for a park such as that proposed is demonstrated by the fact that our JV partner, VTS, desires to move and expand from its location in a nearby lesser improved park in Evergreen. Secondly, there is no such master planed park located within the Valley. Need is further demonstrated by the comments that we have received from the director of the Flathead Valley Port Commission, Myrt Web, indicating that he has had several inquires from companies desiring to locate in the Valley if they could find suitable quarters. HP also intends to be a bidder to construct a new State office building on site.

***Benefit To Surrounding Communities, Lands and Neighborhoods.*** Many participants at a recent technology conference held in Great Falls on the 25<sup>th</sup> and 26<sup>th</sup> of June highlighted the importance to the State's economy of expanding the opportunities for and attraction of high technology users to the state. Hampstead has made presentations related to the park before the Kalispell City Council and has received support for its proposed plans from the Counsel and from the City Manager, Chris Kukulski (see attached letters of support). It is expected that the proposed development will house businesses creating as many as 2,500 or more jobs.

A clean, well designed and operated business and technology park such as that proposed will be of significant benefit to the School Trust not only in terms of income derived directly from master lease payments related to Section 36 paid to the State, but also in terms of the value that such a park and the infrastructure associated therewith brings to the area and surrounding neighborhoods in terms of property values and real wages to residents. This benefit has already been demonstrated by the increase in real estate values since Stream International has moved into the Kalispell area.

A side benefit of the proposed development is the facilitation of infrastructure improvements along highway 93. Adequate City water service now stops at the Flathead Community College and there is no sewer service to the site or to the neighborhoods to the north of the subject property. Parties have raised the specter of future ground water contamination if additional septic systems are placed in the vicinity. Because the City of Kalispell is so much in support of the proposed park, it has allocated monies to study infrastructure and engineering issues and to apply for State and Federal assistance pertaining thereto in an effort to assist in facilitating development of the park.



Assumptions

Project Size (Gross Usable For Rent Calc.)	85%	\$3.6 Acres	(60 Ac. Gross)
Net Project Size		45.73 Acres	
Unimproved Land Value	\$ 43,580	\$ 2,343,528	On Usable Gross Acreage
Land Lease Rate From State	10%	\$ 234,353	Per Year
On and Off Site Improvement Costs		\$ 3,988,240	On Net Acreage
Net Equity Investment		\$ 250,000	
Gross Improved Land Rent to Users	\$ 0.50	\$ 995,999	Per Year
			Assuming 100% Leased

Ongoing Operating Costs (Rough Estimates For Discussion Purposes)

Maint. Expense	\$ 134,500
Management/Admin.	8.0% \$ 78,880
Property Taxes & Insurance	\$ 367,508
CAM Expen. (Inflation/Adjus/ed)	3% \$ 581,688
Asset Management Cost	8% \$ 59,780

Proforma (Land Buildout Only)

Yr. ==>	Phase I		Phase II		Phase III		Stabilized	
	1	2	3	4	5	6		
Gross Poten. Rental Inc. (From End Use)	3% \$ 995,999	\$ 1,025,878	\$ 1,056,856	\$ 1,088,355	\$ 1,121,006	\$ 1,154,838		
Occupancy Rate	0%	25%	45%	55%	60%	90%		
Effective Gross Income	\$ -	\$ 258,470	\$ 475,485	\$ 598,595	\$ 896,805	\$ 1,039,173		
Non-Reimbursable CAM Expenses	3% 290,844	224,877	189,706	288,032	130,939	87,434		
Asset Management Cost	\$ 59,780	\$ 81,553	\$ 63,389	\$ 85,301	\$ 87,280	\$ 89,278		
Total Ongoing Operational Expenses	\$ 350,604	\$ 268,230	\$ 233,105	\$ 351,333	\$ 198,199	\$ 138,712		
Water & Sewer Fees Collected	\$ -	\$ 45,000	\$ 100,000	\$ 100,000	\$ 100,000	\$ 100,000		
Net Earnings Before Land Rent	\$ (350,604)	\$ (29,780)	\$ 242,390	\$ 247,283	\$ 898,606	\$ 902,481		
Other (Outlays)	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -		
Net Oper. Inc. Avail. To Pay Land Rent	\$ (350,604)	\$ (29,780)	\$ 287,390	\$ 347,283	\$ 798,606	\$ 1,002,481		
Land Rent Paid To State	Fixed Pmt.	\$ -	\$ 117,176	\$ 117,176	\$ 117,176	\$ 234,353		
Lease Option Pd. To State		\$ 13,068	\$ 13,068	\$ 13,068				
Contingent Land Rent Pd.	10%	\$ -	\$ -	\$ 16,955	\$ 31,872	\$ 32,005		
Total Rent Pd. To State		\$ 13,068	\$ 13,068	\$ 130,244	\$ 134,131	\$ 149,048	\$ 266,358	
Net Earnings After Master Land Lease Pmt.	\$ (350,604)	\$ (29,780)	\$ 170,213	\$ 230,086	\$ 881,429	\$ 736,103		

<b>Total</b>	<b>Total</b>
Year 1 thru 6	Year 1 thru 40
\$ 585,882	\$ 6,210,349
\$ 39,204	\$ 39,204
\$ 80,832	\$ 2,125,744
\$ 705,918	\$ 8,375,297

Uses of Funds

	85%	85%	80%	100%	100%	100%		
Offsite Development Costs	\$ 753,000	\$ -	\$ -	\$ -	\$ -	\$ -		
Onsite Land Development Cost	\$ 2,102,908	\$ -	\$ 485,288	\$ 647,048	\$ -	\$ -		
Construction Management	12% 342,709	\$ -	\$ 58,234	\$ 77,646	\$ -	\$ -		
Constr. Contingency	10% 285,591	\$ -	\$ 48,529	\$ 64,705	\$ -	\$ -		
Arch. & Engineering	\$ 105,000	\$ -	\$ -	\$ -	\$ -	\$ -		
Fees and Permits	\$ 20,000	\$ -	\$ -	\$ -	\$ -	\$ -		
Legal Costs	\$ 100,000	\$ -	\$ -	\$ -	\$ -	\$ -		
Marketing Cost	4% \$ -	\$ 20,518	\$ 17,522	\$ 8,848	\$ 23,857	\$ 23,857		
Loan Fees	1.0% \$ 44,686							
Other								
Total Cost Before Debt Service	\$ 3,753,891	\$ 20,518	\$ 609,571	\$ 799,247	\$ 23,857	\$ 23,857		
Construction Loan Interest (I.O.)	7.00% \$ -	\$ 152,772	\$ 173,911	\$ 225,901	\$ -	\$ -		
Perm. Loan Debt Service (30 yr. AM)	7.50% \$ -	\$ -	\$ -	\$ -	\$ 374,839	\$ 374,839		
Gov. Loan Debt Service (20 yr. AM)	8.00% \$ 85,972	\$ 85,972	\$ 85,972	\$ 85,972	\$ 85,972	\$ 85,972		
Total Outlays Before Dev. Oversite Allowance	\$ 3,839,863	\$ 259,262	\$ 869,454	\$ 1,111,118	\$ 484,768	\$ 484,768		
Developer Oversite Allowance	5% \$ 191,993	\$ 12,963	\$ 43,473	\$ 55,558	\$ -	\$ -		
Total Outlays After Oversite Allowance	\$ 4,031,856	\$ 272,225	\$ 912,926	\$ 1,188,675	\$ 484,768	\$ 484,768		

<b>Total</b>	<b>Total</b>
Year 1 thru 6	Year 1 thru 40
\$ 753,000	\$ 3,235,240
\$ 3,235,240	\$ 478,589
\$ 478,589	\$ 398,824
\$ 398,824	\$ 105,000
\$ 105,000	\$ 20,000
\$ 20,000	\$ 100,000
\$ 100,000	\$ 95,601
\$ 95,601	\$ 44,686
\$ 44,686	\$ -
\$ -	\$ 5,230,940
\$ 5,230,940	\$ -

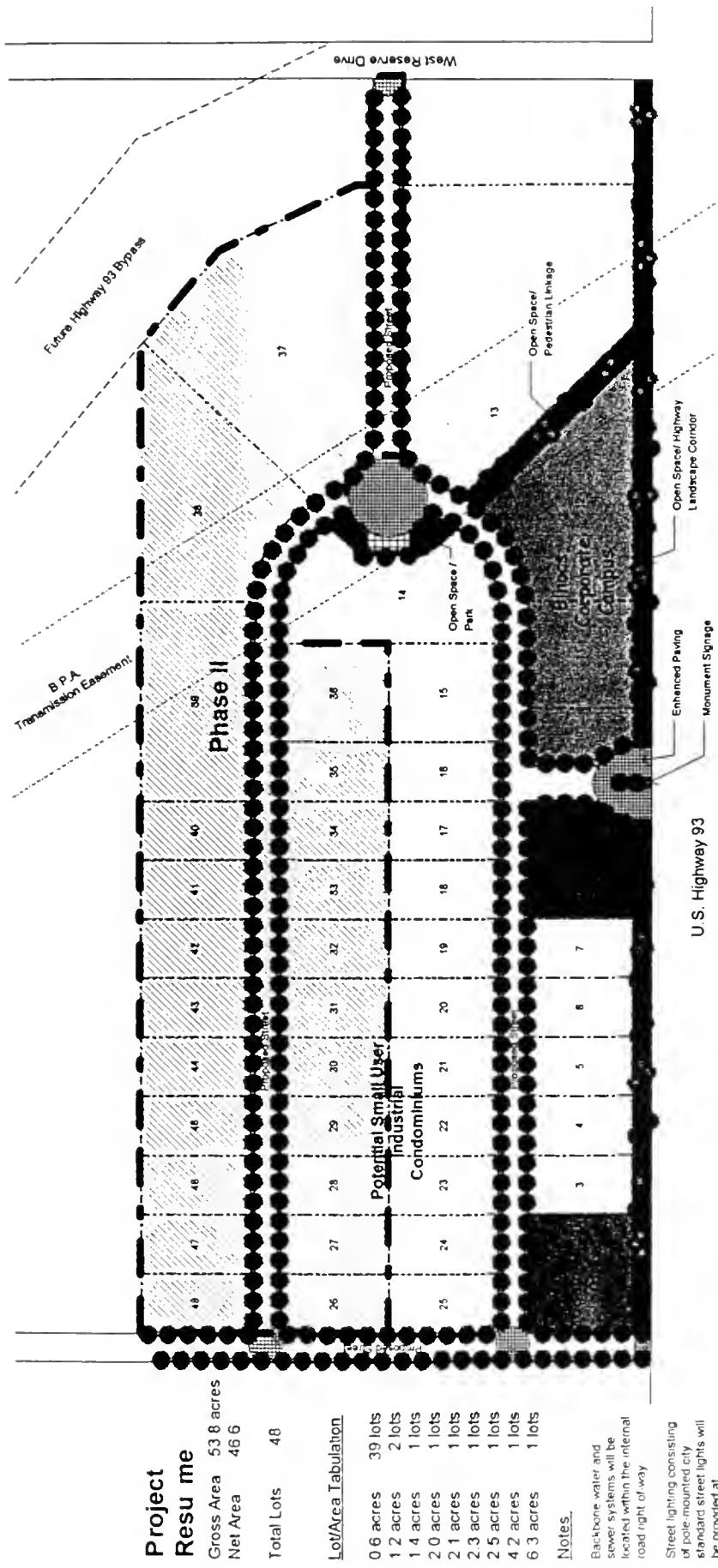
Sources of Funds

Perm. Loan Proceeds (% of Cost)	70%							
Cash From Operations		\$ (350,604)	\$ (29,780)	\$ 170,213	\$ 230,086	\$ 881,428	\$ 736,103	
Grants		\$ 1,000,000						
Government Loans (Infrastructure)		\$ 1,000,000						
Equity Capital		\$ 200,000						
Construction Loan Proceeds		\$ 2,182,480	\$ 301,984	\$ 742,713	\$ 936,589	\$ -	\$ -	
Total Sources Before Equity		\$ 4,031,856	\$ 272,225	\$ 912,926	\$ 1,166,675	\$ 5,150,007	\$ 736,103	
(Net Req. After Other)/Cash Flow		\$ -	\$ -	\$ -	\$ -	\$ 4,865,239	\$ 251,335	

Construction Loan Summary

Construction Loan Balance	\$ 2,182,480	2,484,444	3,227,157	4,163,746	0	0
Construction Loan Payoff	0	0	0	0	4,163,746	0
Net (Gap)/Surplus	\$ -	\$ -	\$ -	\$ -	\$ 501,483	\$ 251,335





# Kalispell Business and Technology Park



Contact: Chris Foster  
(858) 551-5302  
(c)2000



# SECTION 36 EIS

APPENDIX





## Issue Statements for Section 36

### ECONOMICS:

- Phasing development needs to be considered to ensure financial stability for the project.
- The plan should maximize revenue for the school trust
- Sale or trade of all or portions of section 36 should be considered
- The plan needs to be in harmony with the long and short term growth patterns of the City of Kalispell
- How will the plan maximize High Paying, stable job opportunities for the Flathead Valley?
- How will the plan benefit the local economy as required under MCA 77-1-601?
- The analysis should contain a study to determine what the need for commercial growth is in Kalispell. The plan should be consistent with the results of the study.
- What will the effect of this proposal be on local business? Specifically, what will the effect of warehouse retail stores be on the downtown and local business of Kalispell and Evergreen?
- What is the available labor pool for high tech industry? Is it consistent with the plan?
- Will the ball field lease rate be affected by the commercial development of this site?
- Concern was expressed that the plan provide a place for companies to grow their business to contribute to the diversification of our economy.
- What will be the impacts of business failures on State leased land? Who will be responsible for reclamation or building removal? Will standards be set to ensure the viability of re-leasing of structures?
- Economic criteria that address salary scale and whether an industry is “clean” need to be developed for evaluating proposals for development.
- How will phasing guidelines be tied to market needs analysis and local statutory zoning?
- What will trigger the development of additional pods? Will existing pods be required to be developed to a certain extent prior to opening another pod?

### PROJECT FINANCIAL VIABILITY:

- Waivers or adjustment of lease rates need to be analyzed to ensure that the project is in compliance with mandates for full market compensation.
- Concern was expressed that rules or procedures be established to review the financial soundness of proposals such as Hampstead Partners’. The analysis of financial viability needs to address both market conditions and



the ability of the project to generate revenue for the State, including the 10% of current fair market value of the land.

- How will the possibility of developer bankruptcy during construction be addressed?
- Concern was expressed that sources of funding for proposed projects be disclosed. Criteria should be developed that discourages use of public money in funding development.
- Analysis needs to be conducted to assess the long term plus and minus of commercial vs. high tech development with regard to return to the Trust.
- How will this development impact local tax base?
- Analysis should show that tax revenue generated from development meets or exceeds costs of public services required. Assessment of ad valorum taxes should be considered in the lease document.
- How will appraisals be conducted?
- Care should be taken to structure lease rates to ensure a fair market return to the trust. Flat rates for 20 years may not be acceptable.

#### **QUALITY OF LIFE/ PROPERTY VALUES:**

- Concern was expressed that the plan will affect the values of adjacent residential properties.
- Concern was expressed that additional traffic and congestion will negatively affect the quality of life around the area of development.

#### **ALTERNATIVES CONSIDERED:**

- Concern was expressed that a wide range of alternatives be considered in the MEPA process. These should range from no action to the most intensive development possible while considering everything in between that anyone could ever possibly think of, then the answers to all of our questions for now and forever would be included in this EIS!
- Impacts of development of surrounding areas need to be addressed in analysis of alternatives considered on section 36.
- Rate of development should be considered in the analysis.

#### **ADMINISTRATIVE, REGULATORY AND COMPLIANCE ISSUES:**

- Air quality and compliance with federal air quality standards must be reviewed in the analysis of alternatives
- How will further MEPA review be triggered by activities proposed as a result of this plan?
- Disclosure of the lease process needs to be included in the MEPA review. Procedures for review of applications and presentation to the land board need to be set.



- What provisions will be made to ensure adequate lease administration and property management? Where will the expertise come from and how will it be funded?
- What are the impacts of converting agricultural land to commercial uses?
- What are the impacts of increased traffic?
- What are the visual impacts of the proposed plan?
- Consideration should be given to the difficulties of leasing residential lots when proposing activities.
- How will the State abide by local government zoning and subdivision decisions? Especially if they are not consistent with the state's intent?

## **LAND USE PLANNING AND ZONING ISSUES:**

- How will the plan relate to pending zoning issues?
- Cumulative effects analysis should include use of “hard numbers”
- Uses that are conceptually not permitted, such as a Fair Grounds or truck stop should be explicitly excluded rather than merely omitted from a list of permitted uses.
- Impacts of the proposed plan on fire, police and medical response to the existing community as well as the proposed developments need to be analyzed.
- How will amendments, modifications or variances to the terms of an approved plan be handled?
- Infrastructure needs of various “pods” of land use need to be analyzed and defined.
- Health and safety risks associated with the presence of the BPA high voltage power lines need to be incorporated into the analysis.
- How will State and local planning processes interact? Which will take precedence? How will conflicts be handled?
- High tech development should be given preference over commercial development.
- Traffic planning should be designed in conjunction with potential development of surrounding lands.
- Residential development needs to be analyzed to prevent a repeat of the “Billings situation”
- Concern was expressed over potential conflict between residential development and surrounding agricultural activities.

## **PROJECT DESIGN:**

- Pedestrian and Bike paths need to be incorporated into plan design.
- Green space requirements need to be incorporated into plan design.
- Landscape design and setback requirements need to be incorporated as mitigations for visual impacts.



- Aesthetic impacts with respect to the surrounding community need to be analyzed.
- Buffers need to be designed to separate pods of differing uses.
- BPA power lines, easements, HWY 93 bypass need to be incorporated into project design.
- Requirements for energy efficiency and prudent irrigation use should be incorporated into plan.
- The development should provide for a visually attractive entrance for the north end of Kalispell.
- Cluster development should be required by DNRC.

## **WATER SEWER AND DRAINAGE ISSUES:**

- Impacts to ground water levels need to be analyzed.
- Impacts to the public water supply need to be analyzed.
- Storm water runoff and how the infrastructure to collect it will interface with the city collection system needs to be analyzed.
- Details on extension of public water and sewer systems need to be analyzed in the EIS
- Prohibition of septic systems should be incorporated into the plan.
- Impacts on water quality need to be fully analyzed.

## **CUMULATIVE EFFECTS OF NOISE TRAFFIC VISUAL CHARACTER AND AIR QUALITY:**

- Cumulative impacts on air quality and noise levels, including specific mitigation measures need to be analyzed. Compliance with federal air quality and noise abatement standards should be mandatory.
- Cumulative impacts on traffic congestion levels, including specific mitigation measures need to be analyzed. Consultation of the 1994 EIS for the Highway 93 bypass is recommended. .

## **CITY SERVICES AND ANNEXATION ISSUES:**

- Concern was expressed that the annexation of section 36 should not result in the annexation of other properties without the consent of the residents of the other properties.
- The status of Kalispell's Treasure State Endowment Program grant application for extension of sewer and water should be included in the analysis of infrastructure needs for this project.
- Additional funding scenarios for development of infrastructure should be considered in the event that State or local funding is not available.

## **NATURAL ENVIRONMENT:**

- Impacts on wildlife and habitat need to be analyzed.

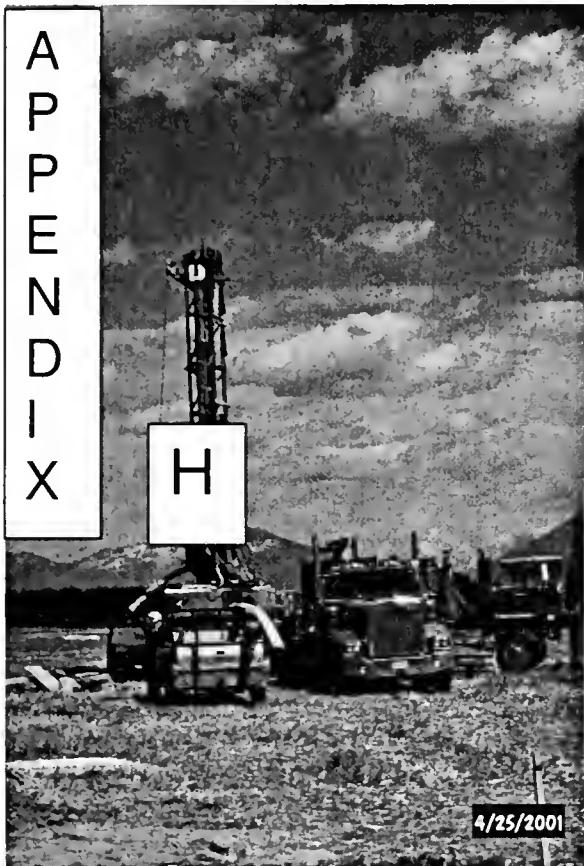


- Impacts on plants and their habitat need to be analyzed.
- Water bodies, both permanent and ephemeral need to be identified and analyzed.



# SECTION 36 EIS

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## Appendix H

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### WELL TABLE

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*Section 36  
Flathead County, Montana*



**Appendix H****Well Information - MBMG****T29N R22W Sec 36 Surrounding Sections**

GWIC ID	DNRC Water Right	Site Name	Lat	Long.	Datu	Tract	Type of Site	Total Dept	Water Level	Test Type	Test Hours	Driller	Compl. Date	Well Use	Perforation Depth(s)	Diam.	Desc
<b>T29N R22W Sec 36</b>																	
84736		Grosswiler Carl	48.235	-114.3	1927	BC	WELL	162		130	20			8/10/33	dom, stkwr		
84733		Dept State Lands	48.236	-114.4	1927	BCB	WELL	400	155.7	120.5	3000	Pump	56	Briggs Drilling	3/4/72	irrig	
84734		Dept State Lands	48.235	-114.3	1927	BCBD	WELL	452	121	120	105	Bailer	66	Briggs Drilling	7/31/71	test well	
84737		Dept State Lands	48.231	-114.3	1927	DAAD	WELL	205		73	250			7/12/58	com, dom		
169198	DNRC		48.231	-114.3	1927	DB	WELL	460		105	1000	Air	22.5	Liberty	6/18/98	irrig	
															320-336, 345-360, 377-442, 458-460	3x3/8 Mills	
																10	Knife

**Surrounding Sections****T28N R21W Sec 6**

82082		Meagher Kenneth J	48.219	-114.3	1927		WELL	274	260	38	4	Bailer	1	McClarity	12/23/56	dom
82085		Mindenhall Edward E	48.219	-114.3	1927		WELL	14		35					07/01/36	dom
82083		Olson Harry H & Mary J #1	48.219	-114.3	1927		WELL	14		34					09/01/51	dom, irrig
82084		Olson Harry H & Mary J #2	48.219	-114.3	1927		WELL	14		14	34				09/01/51	dom, irrig
82086		Vorthees Jennie Hodgson Trustee	48.219	-114.3	1927		WELL	180		150	30			McClarity	05/01/47	dom, irrig
82089	128975	Winkel Dr Dennis R	48.22	-114.3	1927	AD	WELL	125		66	25	Bailer	1	Erickson Well Drilling	08/25/89	dom
82090	23893	Binney Duane & Betty	48.22	-114.3	1927	ADDB	WELL	335	204	91	1000	Air	8	Liberty	06/27/79	monitoring
702835		Wildgren Jerome	48.224	-114.3	1927	BA	WELL	254	217	72	10				01/01/61	dom
82091		Anderson Danno Kauffman Dennis & Irene	48.224	-114.3	1927	BB	WELL	297	270	140	81	Air	4	Bill Mayers	07/06/73	indust
153834		Kalispeil Pub Works	48.22	-114.3	1927	BC	WELL	32		12	60	Air	1	Liberty	09/27/95	dom, irrig
1173084	P097205-00	Northside Well #2	48.221	-114.3	1927	BCBD	WELL	459						Western Wtr Wrks	05/14/97	400-452
82092	11947	Peters Robert	48.22	-114.3	1927	BD	WELL	292	250	132	20	Pump	4	Porter	01/03/77	dom



## Appendix H

## Well Information - MBMG

## T29N R22W Sec 36 Surrounding Sections

GWIC ID	DNRC Water Right	Site Name	Lat	Long.	Datum	Tract	Type of Site	Total Dept	Dept	Water Level	Pumping	Static	Yield	Test Hours	Test Type	Test	Driller	Compl. Date	Well Use	Perforation Depth(s)	Diam.	Desc
82093		Maycumber Guy E & EJ	48.216	-114.3	1927	CA	WELL	307	180	155	28	Bailer	8	Deyoung	11/16/56	pub wr						
82094	12363	Payne Leland B	48.217	-114.3	1927	CAA	WELL	250	240	100	20	Air	4	Bill Mayers	02/02/77	dom	239-244	6 slot perfs				
82095		Evenson Wallace G	48.214	-114.3	1927	CCA	WELL	241		140	15				09/15/54	BBB wr						
702836		KalisPELL Pub Wrks	48.213	-114.3	1927	CDBD	WELL	495						Liberty	06/01/79	sply	410-475	14				
82096		Haller Jim S	48.216	-114.3	1927	DA	WELL	194	166	94	15	Bailer	4	McClarity	01/12/82	dom						
82097		Bruyer Ben J & Irma	48.217	-114.3	1927	DAA	WELL	94		65	30				05/20/58	dom, fire prot, irrig						
		KalisPELL Pub Wrks - Noffsinger Spring	48.216	-114.3	1927	DACC G	SPRIN	17						pub wr								
173086	W045075-00	Bruyer Benjamin	48.213	-114.3	1927	DD	WELL	86		66	40				12/01/13	sply						
82098		Scales William	48.212	-114.3	1927	DDD	WELL	27	20	18	15	Bailer	3	McClarity	12/10/74	dom						
82099	4820																					

## T28N R22W Sec 1

82655		Buchholz Kenneth	48.219	-114.3	1927		WELL	230	215	120	12	Air	4	Bill Mayers	10/18/84	dom	218-230	0	1/4x6 perfs			
82656		Hindman Bob	48.219	-114.3	1927		WELL	175		130	15	Air	2	Hudson	5/15/85	dom						
		Meadowland																				
171378		Homeowners Assoc #2	48.218	-114.3	1927		WELL	217		119	150	Air	9.5	Liberty	5/15/86	sply						
82654		Spurgeon Clinton	48.219	-114.3	1927		WELL	245	175		5			Spurgeon	6/15/73	stkwtr						
82653		Stafanatz Rudolph	48.219	-114.3	1927		WELL	144	136	65	20	Bailer	4	McClarity	8/23/73	dom						
82652		Wilson John	48.219	-114.3	1927		WELL	163		140	90	10	Bailer	Olsen & Justin	5/28/56	dom						
82657		Murphy R & O'Bahniser R & L	48.224	-114.3	1927	AA	WELL	219		130	118	44	Bailer	4	Weber	9/13/85	sply					
82658		O'Neil Byron & Mabel	48.224	-114.3	1927	AAAD	WELL	189		90	50				5/24/53	dom						
82660		Johnson Curtis & Joanna	48.224	-114.3	1927	AB	WELL	153		140	40	17	Bailer	4	McClarity	4/10/70	stkwtr					
82661	14218	Vranish Loren S & Marilyn L	48.225	-114.3	1927	ABA	WELL	164	147	118	30	Air	5	Liberty	5/28/75	dom						
82662	69768	Vranish Loren S	48.225	-114.3	1927	ABB	WELL	180		141	15	Air	4	Bill Mayers	8/16/88	dom	177-180	6	1/2x6 perfs	3/16 slot perfs		
		North Haven																				
82663	14711	Homeowners Assoc	48.224	-114.3	1927	ABDA	WELL	295	224	157	163	Air	5	Liberty	8/25/77	sply						
158169		North Haven																				
82664		Homeowners Assoc	48.224	-114.3	1927	ABDA	WELL	168														
		City of Kalispell	48.22	-114.3	1927	AD	WELL	340														



**Appendix H**  
**Well Information - MBMG**  
**T29N R22W Sec 36 Surrounding Sections**

GWIC ID	DNRC Water Right	Site Name	Lat	Long.	Datu	Tract	Type of Site	Total Dept	Water Level	Test Yield	Test Type	Test Hours	Driller	Compl. Date	Well Use	Perforation Depth(s)	Diam.	Desc
82665		Berner Lyle & Mary	48.222	-114.3	1927	B	WELL	168	150	144	16	Bailer	4	Argyle Hendrickson	12/12/74	dom		
82666		Buchholz Kenneth	48.222	-114.3	1927	B	WELL	144		120	13	Bailer	11	Bills Drilling	6/23/74	dom		
82668	69760	Brouillette Everete A & Sharon M	48.225	-114.3	1927	BBB	WELL	228		145	60	Air	5	Liberty	8/19/88	dom		
82669	20585	Bouldon Melvin R & Ruth	48.22	-114.3	1927	BC	WELL	185		12	15				1/1/00	stkwr	dom,	
82667		Church of Christ	48.219	-114.3	1927	BCCC	WELL	212	175	125	20	Air	1	Drilling	8/24/78	dom	204-210	
82670		Grosswiler Paul	48.215	-114.3	1927	C	WELL	445		120				Briggs Drilling	7/23/80	unknwn	340-360, 370-440	
82671		Hamilton D.	48.217	-114.3	1927	CA	WELL	169	100	72	50	Air		Bill Mayers	5/4/72	dom	160-165	
82672		Tabaka Frank	48.213	-114.3	1927	CC	WELL	232		106	50				6/24/44	dom	6 perfs	
82673		Steubus Orien E	48.213	-114.3	1927	CD	WELL	202	190	110	12	Bailer		5 McClarty	7/30/70	dom		
82674		Rawe Sam	48.212	-114.3	1927	CDD	WELL	150		140	40	Pump		5 Deprning	6/30/57	wtr sply		
82677	6613	Olson Oscar	48.215	-114.3	1927	D	WELL	210		150	83	75	Bail	4	Porter	7/6/76	stkwr	
82676	5553	Saknison Leivian	48.215	-114.3	1927	D	WELL	180		125	80	20	Bailer	4	Argyle Hendrickson	5/6/75	dom	
82675		Stefanatz Rudolph & Agnes	48.215	-114.3	1927	D	WELL	36		23	200					1/1/46	dom	
82678		Olson Oscar	48.218	-114.3	1927	DBAA	WELL	164		128	122	40	Pump	5	Olsen & Justin	8/7/67	dom	
82680		Jones Thomas & Shirley	48.213	-114.3	1927	DC	WELL	177		107	10	Air	10	Liberty	3/17/77	dom		
82679		Shirley	48.213	-114.3	1927	DC	WELL	196		80					12/30/63	stkwr		
148837	93072	Jones Tom	48.213	-114.3	1927	DC	WELL	200		180	70	35	Air	2	Bill Mayers	11/4/94	dom	
82681		Olson Oscar H	48.213	-114.3	1927	DC	WELL	152		58	300				4/15/57	dom		
702882		Gunderson	48.213	-114.3	1927	DD	WELL	26								unused		
82684	35628	Hendrickson Argyle	48.213	-114.3	1927	DD	WELL	177		135	115	10	Bailer	4	Argyle Hendrickson	2/6/67	dom, irrig	
702883		Jones Jack	48.213	-114.3	1927	DD	WELL	30								dom		
82683		Marvin Wayne L	48.213	-114.3	1927	DD	WELL	150		105	85	11	Bailer	4	Argyle Hendrickson	7/15/74	dom	
82682		Ramsey Howard M & Patricia C	48.213	-114.3	1927	DD	WELL	206		68	30				11/1/52	dom		
702884		Sunset Devel Co	48.213	-114.3	1927	DD	WELL	135								dom		
82685		Mcilhargey O'Larry C and Delores	48.214	-114.3	1927	DDA	WELL	200		180	93	20	Air	3.5	Chambers	9/12/84	dom	
82686		Wells John & Aleatha	48.214	-114.3	1927	DDB	WELL	181		175	100	25		3	Stinger	4/12/80	dom	



## Appendix H

### Well Information - MBMG

#### T29N R22W Sec 36 Surrounding Sections

GWIC ID	DNRC Water Right	Site Name	Lat	Long.	Datu	Tract	Type of Site	Total Dept	Water Level	Test Type	Test Hours	Driller	Compl. Date	Well Use	Perforation Depth(s)	Diam.	Desc
82687		Lundy Joseph C	48.214	-114.3	1927	DDBA	WELL	35		30	25			12/27/63	dom		
82688		Pacific Power & Light Co	48.212	-114.3	1927	DDD	WELL	217		65	300			1/1/56	pub wtr		
82689		Vogler Helen	48.211	-114.3	1927	DDDD	WELL	191	111	93	15	Bailer	2	Olsen & Justin	0-20	7 perfs	

#### T28N R22W Sec 2

82690		Grosswiler Carl F	48.219	-114.4	1927	ACDD	WELL	180		80	10			1/1/42	dom, stkwtr	
82691		McKee Joe D	48.22	-114.4	1927	AD	WELL	213	200	115	50	Air	3	Stinger	4/8/83	dom
1180256		Strickland Frank	48.22	-114.4	1927	ADA	WELL	236		80	40	Air	2	Bill Mayers	7/12/99	dom
702885		Grosswiler Paul	48.22	-114.4	1927	BC	WELL	152							233-236	1/4x4 torch cut
82692		Hill William	48.217	-114.4	1927	CAA	WELL	210	190	10	6	Pump	3	Stinger	4/4/79	dom
82693		Donovan John D	48.217	-114.4	1927	CBB	WELL	94	64	20	40	Air	4	Liberty	9/24/73	dom
82694		Meyers Mark	48.213	-114.4	1927	CC	WELL	197	99	89	20	Bailer	4	Porter	6/5/76	dom
82695		Meyers Mark & Genevieve	48.213	-114.4	1927	CD	WELL	186	170	121	40	Air	3	Liberty	10/9/84	dom
1416224	89177	Flint Allen	48.213	-114.4	1927	DC	WELL	80	50	18	50	Air	1	Stinger	12/15/93	dom
82696		Meadows Garmen	48.213	-114.4	1927	DC	WELL	200	160	90	20	Air	10	Bill Mayers	12/6/72	dom
82697		H&F Enterprises	48.214	-114.4	1927	DCA	WELL	60	45	32	30	Air	3	Chambers	10/19/82	dom
82698		Grenfell Ray A	48.211	-114.4	1927	DCCC	WELL	40		20	7				1/1/22	dom
82699	13434	Arlint Allen	48.212	-114.4	1927	DCCD	WELL	240	200	150	20	Air	4	Bill Mayers	11/23/76	dom
82700		Kaufman Lesley J & Dessie	48.213	-114.4	1927	DDBC	WELL	165		80	5				4/1/47	dom
82701		Vogler Helen M	48.211	-114.4	1927	DDDD	WELL	16		10	10				1/1/00	dom, stkwtr

#### T29N R21W Sec 30

84294		Yackey W.A. III	48.249	-114.3	1927	AD	WELL	283	167	93	15	Air	4	Liberty	11/10/73	dom, stkwtr	
160713		Lentz George	48.25	-114.3	1927	ADA	WELL	259	270	127	18	Air	1	Sudan	12/16/96	dom, stkwtr	
84296		Bauer Brothers	48.248	-114.3	1927	BCCD	WELL	190		60	2				1/1/10	stkwtr	
84295		Peterson William	48.242	-114.3	1927	CB	WELL	277	91	48	50	Pump /Bail	10	Deyoung	5/16/62	dom	



## Appendix H

Well Information - MBMG  
T29N R22W Sec 36 Surrounding Sections

GWIC ID	DNRC Water Right	Site Name	Lat	Long.	Datu	Tract	Type of Site	Total Dept	Water Level	Test Hours	Test Type	Well Use	Perforation Depth(s)	Diam.	Desc
139232		MT Dept of Hwys Kalispell/Whitefish	48.245	-114.3	1927	CBC	Borehole	86.5	21.7		Hand	10/24/88	unused		
703008			48.246	-114.3	1927	CC	WELL					11/1/65	dom		
84297		Mackey Don	48.243	-114.3	1927	CCBB	WELL	181	41	10		11/1/54	prot.		
84298		Siblerud Donald	48.242	-114.3	1927	CCBD	WELL	196		15		11/19/55	dom		
84299	67270	Riverside Alliance Church	48.241	-114.3	1927	CCD	WELL	301	180	68	50 Air	4 Bill Mayers	10/17/86	sply	295-300
84301		Borgen Ted & Ethel	48.242	-114.3	1927	CD	WELL	303	48	25		6/8/49	dom		
84300		Barber Richard	48.241	-114.3	1927	CDD	WELL	240		60	16.7 Bailer	4 McClarty	11/24/65	dom	
84302		Johnson Myron	48.247	-114.3	1927	DABA	WELL	176	160	102	25 Bailer	3 Deyoung	9/28/72	dom	
84303		Semi Tool Inc	48.242	-114.3	1927	DC	WELL	298	200	94	45 Air	3 Stinger	11/25/84	dom	

## T29N R21W Sec 31

84304		Bitney Duane	48.239	-114.3	1927	AB	WELL	280	250	50	100 Air	4 Bill Mayers	10/6/74	sply	265-272	6
84305		Granrud Edgar	48.234	-114.3	1927	ACD	WELL	235	135	70	15 Bailer	3 McClarty	4/26/68	stikwtr		
84306		Pack and Company Inc.	48.236	-114.3	1927	BCA	WELL	365	145	82	960 Air	120 Liberty	6/11/76	indust	320-365	12 slots
140161		MT Dept of Transport.	48.236	-114.3	1927	BCB	WELL	313	300	120	99 Air	2 Bill Mayers	12/1/93	sply	309.5-311.5	1/4x3 torch 6 pfs
169098		City of Kalispell	48.226	-114.3	1927	CCCD	WELL	544	109.3	99.71	642 Pump	26 Wrks	9/15/95	monitoring	517-539	1/4x1 8 rows 48 cuts/ft
84308	12715	Chute Craig	48.229	-114.3	1927	CDAA	WELL	60	25	26	30 Bailer	2 Weber	8/13/75	dom	48-56	6 perf
84307		Hutton Jack	48.231	-114.3	1927	DA	WELL	106	45	80			10/21/53	dom		
84309		Osborne Jerry	48.226	-114.3	1927	DCC	WELL	180	170	65	75 Air	2 Bearcat	8/2/84	dom, stikwtr		
156697		Flathead Co Wtr Distrikt 1 - Evergreen	48.227	-114.3	1927	DD	WELL	585				Liberty	11/21/95	sply	433-483, 519-524, 553-563, 568-571, 577-583	10 3/8x2 knife
156662		Flathead Co Wtr Distrikt 1 - Evergreen	48.227	-114.3	1927	DD	WELL	519				Liberty	11/21/95	sply	376-382, 402-413, 421-424, 454-479, 513-516	8 1/4x1 air



GWIC ID	DNRC Water Right	Site Name	Lat	Long.	Datum	Tract	Type of Site	Total Depth	Water Level	Pumping	Static	Yield	Test Type	Test Hours	Driller	Compl. Date	Well Use	Perforation Depth(s)	Diam.	Desc.
156696		Flathead Co Wtr																392-400, 408-414, 420-432, 445-505, 517-522	3/8x2 mills 10 knife	
173091		Flathead Co Wtr	48.227 -114.3	1927	DD	WELL	524								Liberty	11/21/95	pub wtr sply			
173079		Flathead Co Wtr	48.227 -114.3	1927	DD	WELL	410			6	500	Air			17 Liberty	2/14/85	pub wtr sply	381-387, 390-410	8 3/16x4	
173078		Flathead Co Wtr	48.227 -114.3	1927	DD	WELL	416			5.25	500				90 Liberty	8/1/94		383-390, 390-413	.15 slots, .25 slots	
146578	P090208-00	Flathead Co Wtr	48.227 -114.3	1927	DD	WELL	416			5.17	500				90 Liberty	8/1/94		378-390, 390-413	.15 slots, .25 slots	
		Flathead Co Wtr	48.226 -114.3	1927	DDC	WELL	490	130.6	99.9	800		Pump			24 Liberty	12/3/94	pub wtr sply	375-380, 433-447, 472-485	8 1x1/4 air	

## T29N R22W Sec 25

84635		Brush Leroy & Carol	48.249 -114.3	1927	AD	WELL	92	82	60	25					4 McClarity	8/5/75	dom		
703043		Johnson Floyd	48.249 -114.3	1927	AD	WELL	202	81	38	20							11/56 dom		
148213		Teneyck James	48.249 -114.3	1927	AD	WELL	177	110	75	30	Bailer	2	Weber		3/20/95	dom			
84636		Metre Georgia	48.25 -114.3	1927	ADA	WELL	85	38	36	30	Bailer	2	Olsen & Justin		8/20/68	dom			
84637		Johnson Vernon & Floyd	48.248 -114.3	1927	ADC	WELL	202	37	200								5/3/56 stkwtr		
84638		Johnson Vernon & T.Johnson F & R	48.246 -114.3	1927	CB	WELL	180	60	60								dom, 12/30/63 stkwtr		
130596		Kingdom Hall - Valley View Congregation	48.242 -114.3	1927	CD	WELL	260	255	128	50	Air	2	Stinger		5/7/92	dom			
84639		Johnson T. Floyd	48.245 -114.3	1927	DAD	WELL	102	64	58	30	Bailer	2	Olsen & Justin		5/1/70	dom			
139235		MT Dept of Hwy's Kalisp/Whitfish	48.245 -114.3	1927	DAD	Borehole	85.5		10.8					Hand	10/25/88	unused			
139614		Country View Estates	48.246 -114.3	1927	DBB	WELL	350			400	Air	1	Western		9/26/92	sply	323-347	8 1/4x1 star perf	
84640	21832	Askelsen Ed	48.241 -114.3	1927	DCC	WELL	370	370	140	1700	Air	17	Bill Mayers		10/17/99	pub wtr sply	357-367	10 perf	
84641		Metre Georgia	48.242 -114.3	1927	DD	WELL	20		12	100						dom, 1/1/33 stkwtr			
84642		Mountain Villa Apts Partnership	48.241 -114.3	1927	DDD	WELL	320	280	120	800	Air	34	Bill Mayers		7/24/80	unknwn	307-317	10 1/4x6 perfs	



## Appendix H

## Well Information - MBMG

## T29N R22W Sec 36 Surrounding Sections

GWIC ID	DNRC Water Right	Site Name	Lat	Long.	Datu	Tract	Type of Site	Total Dept	Water Level	Test Hours	Test Type	Driller	Compl. Date	Well Use	Perforation Depth(s)	Diam.	Desc
								Pumping	Static	Yield							

## T29N R22W Sec 26

84643	74439	L.A.C. Inc.	48.253	-114.4	1927	AA	WELL	222		143	60	Air	3 Stinger	2/20/90	dom	218-222	0 perfs	
167106		LHC Inc.	48.253	-114.4	1927	AB	WELL	432		126	500	Air	1 Liberty	3/18/98	other	278-288, 312-346, 393-397, 425-430	.12-1 shop perf	
162435	95320	Garner Don	48.253	-114.4	1927	AB	WELL	260		245	9	14	1 Stinger	3/27/92	dom	240-260	4 pvc scrn	
84644		Martinson John L.	48.248	-114.4	1927	ADD	WELL	200			70	4			dom,	6/1/15	stkwr	
84645		Keller Henry A.	48.254	-114.4	1927	BAA	WELL	60		30					dom,	1/1/34	dom	
84646		Keller Anna & Donald	48.252	-114.4	1927	BBC	WELL	151		145	22	17	Bailer	3 McClarty	10/31/67	stkwr		
84647		Grosswiler Dairy	48.25	-114.4	1927	BCBC	WELL	313		153	150	50	Bailer	2 Drilling	9/8/75	dom	290-307	8 3/8 slot
84648	8249	O'Boyle Charles Ranch	48.245	-114.4	1927	CBC	WELL	356		125	123	600	Pump	4 Drilling	10/30/78	irrig	250-350	3/8x4x6 12 slot pf
84649		Regen Keith	48.246	-114.4	1927	DB	WELL	220		210	140	66	Air	3 Stinger	1/18/88	dom, irrig	215-220	6 1/4x6 perfs
		Johnson Gordon & Kay	48.242	-114.4	1927	DC	WELL	234		200	163	20	Air	2 Chambers	5/3/83	dom		
84650		Wiggins Tom	48.242	-114.4	1927	DC	WELL	240		210	2.5	30	Air	2 Chambers	3/22/83	dom		
84652		Collins Dale	48.243	-114.4	1927	DCA	WELL	295		290	240	35	Air	4 Bill Mayers	1/5/81	unknwn	290-295	6 1x1/4 perfs
84653		Osler Rod	48.243	-114.4	1927	DCA	WELL	235		235	200	20	Air	3 Stinger	1/19/84	dom		
		Janetski Jon & Jennifer	48.241	-114.4	1927	DCC	WELL	256		180	98	52	Air	3.5 Wes	12/2/96	dom		
160722		Beyer Wayne & Jean	48.241	-114.4	1927	DDC	WELL	236		180	15	Air	1 Jim Taylor	6/14/91	dom			

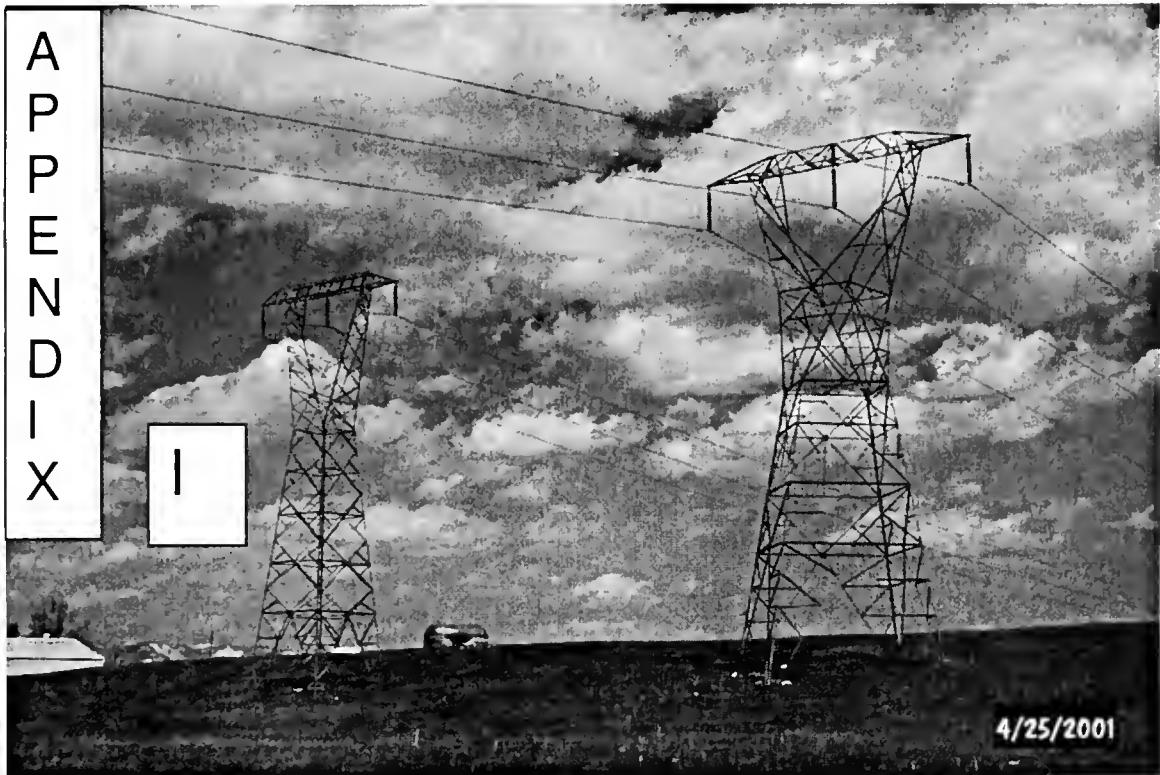
## T29N R22W Sec 35

703052	Grosswiler Paul	48.239	-114.4	1927	BB	WELL	209								dom			
703053	Grosswiler Carl	48.228	-114.4	1927	DD	WELL	200								unused			
84731	Grosswiler Paul	48.228	-114.4	1927	DD	WELL	198			140	200			Briggs	1/10/58	dom		
84732	1525 Grosswiler Daily Inc	48.227	-114.4	1927	DDDA	WELL	425		170	126	3500	Pump	6 Drilling	6/23/75	irrig	400-420	16 3/8 slot	



# SECTION 36 EIS

APPENDIX





**Appendix I**  
**Downtown Merchants Survey**  
**Spring, 2001**



Dear Downtown Kalispell Merchant,

As you are probably aware, the Department of Natural Resources and Conservation is conducting an environmental and economic study of Section 36, located on the corner of Reserve and Highway 93. Gregg Davis, of Flathead Valley Community College, is leading the economic assessment for this study. The proposal calls for a 1-20 year build out of hypothetical businesses that might locate in Section 36. We are asking downtown business merchants to help us in our analysis since this development would be somewhat contiguous to the downtown district.

As part of our analysis, please take a few minutes to respond to some queries, which will be read to you by one of the College's economic students who is enrolled in a research methodology class at FVCC.

The results of this study will be reported **without identifying specific businesses**. Should you have any questions, please feel free to contact Gregg Davis at 756-3870.

Thank you for your time.



Business Name \_\_\_\_\_

1. What are your principal product(s) and/or services sold?

\_\_\_\_\_

\_\_\_\_\_

2. Has employment within your business been relatively stable, declining or growing over the past five years?

Stable       Declining       Growing

3. For the generally defined businesses below, please indicate which businesses you feel would have a high probability of... (a) directly competing and adversely affecting your business, (b) insignificant or no expected impact, (c) positively affecting your business, or. impact is uncertain:

Hypothetical Business	Adverse Impact	No Impact	Positive Impact	Uncertain Impact
High Technology Firms	—	—	—	—
Bank	—	—	—	—
Professional Office Building	—	—	—	—
Motel	—	—	—	—
Retail Warehouse	—	—	—	—
Restaurant	—	—	—	—
Small Office Complex	—	—	—	—
Gas and Convenience Store	—	—	—	—
Dental/Medical Clinic	—	—	—	—



	Adverse Impact	No Impact	Positive Impact	Uncertain Impact
Apartments	—	—	—	—
Grocery Store	—	—	—	—
Barber and Beauty Shop	—	—	—	—
Specialty Retail Stores	—	—	—	—
Car Wash	—	—	—	—
Equestrian Center	—	—	—	—

4. Suppose a business did locate on Section 36 at the corner of Reserve and Highway 93 within the next 5-10 years that was in direct competition with your business. Would you anticipate the impact on your business as?

significantly adverse       moderately adverse       modest, if any.

5. Who do you view as your most direct, present competition for business?

\_\_\_\_\_



**Poll Response by SIC Industry**  
**Flathead County**

**SIC Industry:** 3500 Industrial and Commercial Machinery and Computer Equipment

\* Responses in Percentages

**Employment Levels**

<b>Stable</b>	<b>Declining</b>	<b>Growing</b>
0%	0%	100%

**Perceived Impact of New Businesses**

<b><u>Hypothetical Business</u></b>	<b>Adverse</b>	<b>None</b>	<b>Positive</b>	<b>Uncertain</b>
-------------------------------------	----------------	-------------	-----------------	------------------

Bank	100%	100%	100%
Professional Office Building	100%		
Motel		100%	
Retail Warehouse			100%
Restaurant		100%	
Small Office Complex		100%	
Gas and Convenience Store	100%		
Dental/Medical Clinic		100%	
Apartments		100%	
Grocery Store	100%		
Barber and Beauty Shop	100%		
Specialty Retail Stores			100%
Car Wash			100%
Equestrian Center			100%

**Impact of Business at Proposed Location**

<b><u>Significantly Adverse</u></b>	<b>Moderately Adverse</b>	<b>Modest, if any</b>
	100%	

*n=1*



**Poll Response by SIC Industry**  
**Flathead County**

*SIC Industry:* 4700 Transportation Services

\* Responses in Percentages

**Employment Levels**

<u>Stable</u>	<u>Declining</u>	<u>Growing</u>
0%	0%	100%

**Perceived Impact of New Businesses**

<u>Hypothetical Business</u>	<u>Adverse</u>	<u>None</u>	<u>Positive</u>	<u>Uncertain</u>
------------------------------	----------------	-------------	-----------------	------------------

High Technology Firms			100%	
Bank	50%			50%
Professional Office Building			100%	
Motel			100%	
Retail Warehouse			50%	50%
Restaurant	50%			50%
Small Office Complex			50%	50%
Gas and Convenience Store	50%			50%
Dental/Medical Clinic			50%	50%
Apartments				50%
Grocery Store	50%			50%
Barber and Beauty Shop	50%			50%
Specialty Retail Stores			100%	
Car Wash	50%			50%
Equestrian Center			100%	

**Impact of Business at Proposed Location**

<u>Significantly Adverse</u>	<u>Moderately Adverse</u>	<u>Modest, if any</u>
	100%	

*n=2*



**Poll Response by SIC Industry**  
**Flathead County**

*SIC Industry:* 4800 Communications

*\* Responses in Percentages*

**Employment Levels**

<b>Stable</b>	<b>Declining</b>	<b>Growing</b>
0%	0%	100%

**Perceived Impact of New Businesses**

<u>Hypothetical Business</u>	<u>Adverse</u>	<u>None</u>	<u>Positive</u>	<u>Uncertain</u>
------------------------------	----------------	-------------	-----------------	------------------

High Technology Firms	100%
Bank	100%
Professional Office Building	100%
Motel	100%
Retail Warehouse	100%
Restaurant	100%
Small Office Complex	100%
Gas and Convenience Store	100%
Dental/Medical Clinic	100%
Apartments	100%
Grocery Store	100%
Barber and Beauty Shop	100%
Specialty Retail Stores	100%
Car Wash	100%
Equestrian Center	100%

**Impact of Business at Proposed Location**

<u>Significantly Adverse</u>	<u>Moderately Adverse</u>	<u>Modest, if any</u>
		100%

**Direct Competition:**

Anyone Nationally who offers telecommunications services

*n=1*



**Poll Response by SIC Industry**  
**Flathead County**

SIC Industry: 5200 Building Materials

*\* Responses in Percentages*

**Employment Levels**

	<u>Stable</u>	<u>Declining</u>	<u>Growing</u>
	100%	0%	0%

**Perceived Impact of New Businesses**

<u>Hypothetical Business</u>	<u>Adverse</u>	<u>None</u>	<u>Positive</u>	<u>Uncertain</u>
------------------------------	----------------	-------------	-----------------	------------------

High Technology Firms		100%		
Bank	100%			
Professional Office Building			100%	
Motel			100%	
Retail Warehouse	100%			
Restaurant			100%	
Small Office Complex			100%	
Gas and Convenience Store			100%	
Dental/Medical Clinic			100%	
Apartments	100%			
Grocery Store			100%	
Barber and Beauty Shop			100%	
Specialty Retail Stores			100%	
Car Wash			100%	
Equestrian Center			100%	

**Impact of Business at Proposed Location**

<u>Significantly Adverse</u>	<u>Moderately Adverse</u>	<u>Modest, if any</u>
100%		

*n=1*



**Poll Response by SIC Industry**  
**Flathead County**

*SIC Industry:* 5400 Food Stores

\* Responses in Percentages

**Employment Levels**

<u>Stable</u>	<u>Declining</u>	<u>Growing</u>
0%	0%	100%

**Perceived Impact of New Businesses**

<u>Hypothetical Business</u>	<u>Adverse</u>	<u>None</u>	<u>Positive</u>	<u>Uncertain</u>
High Technology Firms		66%	33%	
Bank		100%		
Professional Office Building		66%	33%	
Motel		66%	33%	
Retail Warehouse	66%			33%
Restaurant		100%		
Small Office Complex		100%		
Gas and Convenience Store		100%		
Dental/Medical Clinic		100%		
Apartments		33%	66%	
Grocery Store	66%	33%		
Barber and Beauty Shop		100%		
Specialty Retail Stores	66%			33%
Car Wash		66%	33%	
Equestrian Center		33%	66%	

**Impact of Business at Proposed Location**

<u>Significantly Adverse</u>	<u>Moderately Adverse</u>	<u>Modest, if any</u>
33%	66%	

*n=3*



**Poll Response by SIC Industry**  
**Flathead County**

**SIC Industry:** 5500 Gas Service Stations

\* Responses in Percentages

**Employment Levels**

<b>Stable</b>	<b>Declining</b>	<b>Growing</b>
0%	0%	100%

**Perceived Impact of New Businesses**

<u>Hypothetical Business</u>	<u>Adverse</u>	<u>None</u>	<u>Positive</u>	<u>Uncertain</u>
High Technology Firms			100%	
Bank		100%		
Professional Office Building			100%	
Motel			100%	
Retail Warehouse				
Restaurant				100%
Small Office Complex		100%		
Gas and Convenience Store	100%			
Dental/Medical Clinic		100%		
Apartments			100%	
Grocery Store	100%			
Barber and Beauty Shop			100%	
Specialty Retail Stores		100%		
Car Wash		100%		
Equestrian Center			100%	

**Impact of Business at Proposed Location**

<u>Significantly Adverse</u>	<u>Moderately Adverse</u>	<u>Modest, if any</u>
No Response		

*n=1*



**Poll Response by SIC Industry**  
**Flathead County**

SIC Industry: 5600 Apparel and Accessory Stores

*\* Responses in Percentages*

**Employment Levels**

	<u>Stable</u>	<u>Declining</u>	<u>Growing</u>
	50.0%	17.0%	33.0%

**Perceived Impact of New Businesses**

<u>Hypothetical Business</u>	<u>Adverse</u>	<u>None</u>	<u>Positive</u>	<u>Uncertain</u>
High Technology Firms		38.4%	38.4%	23.2%
Bank	8.0%	69.0%	23.0%	
Professional Office Building		69.2%	15.3%	15.3%
Motel	8.0%	61.0%	23.0%	8.0%
Retail Warehouse	61.0%	15.0%	8.0%	15.0%
Restaurant	8.0%	61.0%	23.0%	8.0%
Small Office Complex		85.0%		15.0%
Gas and Convenience Store		84.6%	7.7%	7.7%
Dental/Medical Clinic		92.0%	8.0%	
Apartments		58.0%	16.0%	25.0%
Grocery Store		75.0%	16.6%	8.3%
Barber and Beauty Shop		61.5%	16.7%	16.7%
Specialty Retail Stores	63.6%		18.2%	18.2%
Car Wash		83.3%		16.6%
Equestrian Center		58.3%	25.0%	16.6%

**Impact of Business at Proposed Location**

<u>Significantly Adverse</u>	<u>Moderately Adverse</u>	<u>Modest, if any</u>
18.2%	72.7%	9.1%

*n=12*



**Poll Response by SIC Industry**  
**Flathead County**

SIC Industry: 5700 Home Furniture, Furnishings, and Equipment Stores

\* Responses in Percentages

**Employment Levels**

	<u>Stable</u>	<u>Declining</u>	<u>Growing</u>
	36.4%	9.1%	54.5%

**Perceived Impact of New Businesses**

<u>Hypothetical Business</u>	<u>Adverse</u>	<u>None</u>	<u>Positive</u>	<u>Uncertain</u>
High Technology Firms		23.1%	69.2%	7.7%
Bank		69.2%	30.8%	
Professional Office Building		46.2%	53.8%	
Motel		23.1%	61.5%	15.4%
Retail Warehouse	46.2%	23.1%	23.1%	7.7%
Restaurant		46.2%	46.2%	7.7%
Small Office Complex	7.7%	38.5%	53.8%	
Gas and Convenience Store		76.9%	23.1%	
Dental/Medical Clinic		66.6%	33.3%	
Apartments		30.8%	53.8%	15.4%
Grocery Store	23.1%	46.1%	23.1%	7.7%
Barber and Beauty Shop	7.7%	69.2%	15.4%	7.7%
Specialty Retail Stores	30.8%	23.1%	15.4%	30.8%
Car Wash	7.7%	76.9%	7.7%	7.7%
Equestrian Center			92.3%	7.7%

**Impact of Business at Proposed Location**

<u>Significantly Adverse</u>	<u>Moderately Adverse</u>	<u>Modest, if any</u>
33.3%	33.3%	33.3%

*n=13*



**Poll Response by SIC Industry**  
**Flathead County**

SIC Industry: 5800 Eating and Drinking Places

\* Responses in Percentages

**Employment Levels**

	<u>Stable</u>	<u>Declining</u>	<u>Growing</u>
	75.0%	8.3%	16.7%

**Perceived Impact of New Businesses**

<u>Hypothetical Business</u>	<u>Adverse</u>	<u>None</u>	<u>Positive</u>	<u>Uncertain</u>
High Technology Firms		25.0%	58.3%	16.7%
Bank		50.0%	41.7%	8.3%
Professional Office Building		16.7%	83.3%	
Motel		8.3%	66.7%	25.0%
Retail Warehouse	8.3%	33.3%	41.7%	8.3%
Restaurant	91.7%		8.3%	
Small Office Complex	8.3%	8.3%	66.7%	16.7%
Gas and Convenience Store	8.3%	58.3%	16.7%	16.7%
Dental/Medical Clinic	8.3%	41.7%	41.7%	8.3%
Apartments		50.0%	41.7%	16.7%
Grocery Store	8.3%	58.3%	25.0%	8.3%
Barber and Beauty Shop	7.7%	66.7%	25.0%	8.3%
Specialty Retail Stores	16.7%	16.7%	50.0%	16.7%
Car Wash		75.0%	16.7%	8.3%
Equestrian Center	8.3%	58.3%	25.0%	8.3%

**Impact of Business at Proposed Location**

<u>Significantly Adverse</u>	<u>Moderately Adverse</u>	<u>Modest, if any</u>
58.3%	33.3%	8.3%

*n=12*



**Poll Response by SIC Industry**  
**Flathead County**

SIC Industry: 5900 Miscellaneous Retail

\* Responses in Percentages

**Employment Levels**

	<u>Stable</u>	<u>Declining</u>	<u>Growing</u>
	54.5%	9.1%	3645.0%

**Perceived Impact of New Businesses**

<u>Hypothetical Business</u>	<u>Adverse</u>	<u>None</u>	<u>Positive</u>	<u>Uncertain</u>
High Technology Firms		39.1%	52.2%	8.7%
Bank		69.6%	21.7%	8.7%
Professional Office Building	4.3%	52.2%	34.8%	8.70%
Motel	9.10%	36.4%	50.0%	4.5%
Retail Warehouse	39.1%	39.1%	8.7%	13.0%
Restaurant		65.2%	26.1%	8.7%
Small Office Complex	4.3%	43.5%	43.5%	8.7%
Gas and Convenience Store	13.0%	65.2%	17.4%	4.3%
Dental/Medical Clinic	8.7%	47.8%	34.8%	8.7%
Apartments	4.30%	39.1%	52.2%	4.3%
Grocery Store	21.7%	6095.0%	13.0%	4.3%
Barber and Beauty Shop	4.3%	69.6%	21.7%	4.3%
Specialty Retail Stores	47.8%	17.4%	17.4%	17.4%
Car Wash		78.3%	17.4%	4.3%
Equestrian Center	4.3%	73.9%	21.7%	

**Impact of Business at Proposed Location**

<u>Significantly Adverse</u>	<u>Moderately Adverse</u>	<u>Modest, if any</u>
28.6%	47.6%	23.8%

*n=23*



**Poll Response by SIC Industry**  
**Flathead County**

*SIC Industry:* 6000 Finance, Insurance, and Real Estate

\* Responses in Percentages

**Employment Levels**

	<u>Stable</u>	<u>Declining</u>	<u>Growing</u>
	16.7%	16.7%	66.6%

**Perceived Impact of New Businesses**

<u>Hypothetical Business</u>	<u>Adverse</u>	<u>None</u>	<u>Positive</u>	<u>Uncertain</u>
High Technology Firms			100.0%	
Bank	100.0%			
Professional Office Building		16.7%	83.3%	
Motel			100.0%	
Retail Warehouse			83.3%	16.7%
Restaurant		16.7%	83.3%	
Small Office Complex	16.7%		83.3%	
Gas and Convenience Store		16.7%	83.3%	
Dental/Medical Clinic		16.7%	83.3%	
Apartments		16.7%	66.6%	16.7%
Grocery Store		16.7%	83.3%	
Barber and Beauty Shop		16.7%	83.3%	
Specialty Retail Stores	16.7%		83.3%	
Car Wash		16.7%	66.6%	16.7%
Equestrian Center		16.7%	83.3%	

**Impact of Business at Proposed Location**

<u>Significantly Adverse</u>	<u>Moderately Adverse</u>	<u>Modest, if any</u>
	66.6%	33.3%

*n=6*



**Poll Response by SIC Industry**  
**Flathead County**

SIC Industry: 6300 Insurance Carriers

\* Responses in Percentages

**Employment Levels**

<u>Stable</u>	<u>Declining</u>	<u>Growing</u>
50.0%		50.0%

**Perceived Impact of New Businesses**

<u>Hypothetical Business</u>	<u>Adverse</u>	<u>None</u>	<u>Positive</u>	<u>Uncertain</u>
High Technology Firms	50.0%	50.0%		
Bank		100.0%		
Professional Office Building		50.0%	50.0%	
Motel	100.0%			
Retail Warehouse	50.0%	50.0%		
Restaurant	100.0%			
Small Office Complex	50.0%	50.0%		
Gas and Convenience Store	100.0%			
Dental/Medical Clinic	50.0%	50.0%		
Apartments	50.0%	50.0%		
Grocery Store	100.0%			
Barber and Beauty Shop	100.0%			
Specialty Retail Stores	100.0%			
Car Wash	100.0%			
Equestrian Center	100.0%			

**Impact of Business at Proposed Location**

<u>Significantly Adverse</u>	<u>Moderately Adverse</u>	<u>Modest, if any</u>
50.0%		50.0%

*n=2*



**Poll Response by SIC Industry**  
**Flathead County**

SIC Industry: 6400 Insurance Agents, Brokers, and Service

\* Responses in Percentages

**Employment Levels**

<u>Stable</u>	<u>Declining</u>	<u>Growing</u>
100.0%		

**Perceived Impact of New Businesses**

<u>Hypothetical Business</u>	<u>Adverse</u>	<u>None</u>	<u>Positive</u>	<u>Uncertain</u>
------------------------------	----------------	-------------	-----------------	------------------

High Technology Firms	50.0%	50.0%		
Bank	100.0%			
Professional Office Building	100.0%			
Motel	100.0%			
Retail Warehouse	100.0%			
Restaurant	100.0%			
Small Office Complex	100.0%			
Gas and Convenience Store	100.0%			
Dental/Medical Clinic	100.0%			
Apartments	50.0%	50.0%		
Grocery Store	100.0%			
Barber and Beauty Shop	50.0%	50.0%		
Specialty Retail Stores	50.0%	50.0%		
Car Wash	100.0%			
Equestrian Center	100.0%			

**Impact of Business at Proposed Location**

<u>Significantly Adverse</u>	<u>Moderately Adverse</u>	<u>Modest, if any</u>
	50.0%	50.0%

*n=2*



**Poll Response by SIC Industry**  
**Flathead County**

**SIC Industry:** 6500 Real Estate

\* Responses in Percentages

**Employment Levels**

<u>Stable</u>	<u>Declining</u>	<u>Growing</u>
100.0%		

**Perceived Impact of New Businesses**

<u>Hypothetical Business</u>	<u>Adverse</u>	<u>None</u>	<u>Positive</u>	<u>Uncertain</u>
High Technology Firms			100.0%	
Bank		100.0%		
Professional Office Building	50.0%	50.0%		
Motel		50.0%	50.0%	
Retail Warehouse		100.0%		
Restaurant		100.0%		
Small Office Complex	50.0%	50.0%		
Gas and Convenience Store		100.0%		
Dental/Medical Clinic			100.0%	
Apartments			50.0%	50.0%
Grocery Store		50.0%		50.0%
Barber and Beauty Shop		100.0%		
Specialty Retail Stores	50.0%		50.0%	
Car Wash		100.0%		
Equestrian Center			100.0%	

**Impact of Business at Proposed Location**

<u>Significantly Adverse</u>	<u>Moderately Adverse</u>	<u>Modest, if any</u>
50.0%		50.0%

*n=2*



**Poll Response by SIC Industry**  
**Flathead County**

**SIC Industry:** 6700 Holding and Other Investment Offices

\* Responses in Percentages

**Employment Levels**

	<u>Stable</u>	<u>Declining</u>	<u>Growing</u>
			100.0%

**Perceived Impact of New Businesses**

<u>Hypothetical Business</u>	<u>Adverse</u>	<u>None</u>	<u>Positive</u>	<u>Uncertain</u>
------------------------------	----------------	-------------	-----------------	------------------

High Technology Firms		100.0%		
Bank				100.0%
Professional Office Building		100.0%		
Motel		100.0%		
Retail Warehouse		100.0%		
Restaurant		100.0%		
Small Office Complex		100.0%		
Gas and Convenience Store		100.0%		
Dental/Medical Clinic		100.0%		
Apartments		100.0%		
Grocery Store		100.0%		
Barber and Beauty Shop		100.0%		
Specialty Retail Stores		100.0%		
Car Wash		100.0%		
Equestrian Center		100.0%		

**Impact of Business at Proposed Location**

<u>Significantly Adverse</u>	<u>Moderately Adverse</u>	<u>Modest, if any</u>
		100.0%

*n=1*



**Poll Response by SIC Industry**  
**Flathead County**

SIC Industry: 7000 Hotels, Rooming Houses, Camps, and other Lodging Places

\* Responses in Percentages

**Employment Levels**

<u>Stable</u>	<u>Declining</u>	<u>Growing</u>
No Response		

**Perceived Impact of New Businesses**

<u>Hypothetical Business</u>	<u>Adverse</u>	<u>None</u>	<u>Positive</u>	<u>Uncertain</u>
High Technology Firms		100.0%		
Bank			100.0%	
Professional Office Building				100.0%
Motel	100.0%			
Retail Warehouse			100.0%	
Restaurant	100.0%			
Small Office Complex				100.0%
Gas and Convenience Store				100.0%
Dental/Medical Clinic		100.0%		
Apartments		100.0%		
Grocery Store		100.0%		
Barber and Beauty Shop		100.0%		
Specialty Retail Stores	100.0%			
Car Wash		100.0%		
Equestrian Center		100.0%		

**Impact of Business at Proposed Location**

<u>Significantly Adverse</u>	<u>Moderately Adverse</u>	<u>Modest, if any</u>
100.0%		

*n=1*



**Poll Response by SIC Industry**  
**Flathead County**

SIC Industry: 7200 Personal Services

\* Responses in Percentages

**Employment Levels**

	<u>Stable</u>	<u>Declining</u>	<u>Growing</u>
	33.3%	11.1%	55.6%

**Perceived Impact of New Businesses**

<u>Hypothetical Business</u>	<u>Adverse</u>	<u>None</u>	<u>Positive</u>	<u>Uncertain</u>
High Technology Firms		44.4%	55.6%	
Bank		66.7%	33.3%	
Professional Office Building		33.3%	44.4%	22.2%
Motel		33.3%	55.6%	11.1%
Retail Warehouse		55.6%	22.2%	22.2%
Restaurant		66.7%	33.3%	
Small Office Complex	11.1%	33.3%	33.3%	22.2%
Gas and Convenience Store		88.8%		11.1%
Dental/Medical Clinic		77.8%	11.1%	11.10%
Apartments		37.5%	62.5%	
Grocery Store		55.6%	33.3%	11.1%
Barber and Beauty Shop	66.7%	22.2%		11.1%
Specialty Retail Stores		44.4%	33.3%	22.2%
Car Wash		80.0%	10.0%	10.0%
Equestrian Center		66.6%	11.1%	22.2%

**Impact of Business at Proposed Location**

<u>Significantly Adverse</u>	<u>Moderately Adverse</u>	<u>Modest, if any</u>
12.5%	37.5%	50.0%

*n=9*



**Poll Response by SIC Industry**  
**Flathead County**

SIC Industry: 7300 Business Services

\* Responses in Percentages

**Employment Levels**

	<u>Stable</u>	<u>Declining</u>	<u>Growing</u>
	66.7%		33.3%

**Perceived Impact of New Businesses**

<u>Hypothetical Business</u>	<u>Adverse</u>	<u>None</u>	<u>Positive</u>	<u>Uncertain</u>
High Technology Firms		33.3%	66.7%	
Bank		66.7%	33.3%	
Professional Office Building			100.0%	
Motel		66.7%	33.3%	
Retail Warehouse	66.7%			33.3%
Restaurant		66.7%	33.3%	
Small Office Complex	33.3%		66.7%	
Gas and Convenience Store		66.7%	33.3%	
Dental/Medical Clinic			100.0%	
Apartments		33.3%	66.7%	
Grocery Store		100.0%		
Barber and Beauty Shop		33.3%	66.7%	
Specialty Retail Stores	33.3%		33.3%	33.3%
Car Wash		66.7%	33.3%	
Equestrian Center		33.3%	66.7%	

**Impact of Business at Proposed Location**

<u>Significantly Adverse</u>	<u>Moderately Adverse</u>	<u>Modest, if any</u>
33.3%	33.3%	33.3%

*n=3*



**Poll Response by SIC Industry**  
**Flathead County**

**SIC Industry:** 7500 Automotive Repair, Services, and Parking

\* Responses in Percentages

**Employment Levels**

	<u>Stable</u>	<u>Declining</u>	<u>Growing</u>
			100.0%

**Perceived Impact of New Businesses**

<u>Hypothetical Business</u>	<u>Adverse</u>	<u>None</u>	<u>Positive</u>	<u>Uncertain</u>
------------------------------	----------------	-------------	-----------------	------------------

High Technology Firms		100.0%		
Bank		100.0%		
Professional Office Building		100.0%		
Motel		100.0%		
Retail Warehouse		100.0%		
Restaurant		100.0%		
Small Office Complex		100.0%		
Gas and Convenience Store		100.0%		
Dental/Medical Clinic		100.0%		
Apartments		100.0%		
Grocery Store		50.0%	50.0%	
Barber and Beauty Shop		100.0%		
Specialty Retail Stores		100.0%		
Car Wash		100.0%		
Equestrian Center		50.0%	50.0%	

**Impact of Business at Proposed Location**

<u>Significantly Adverse</u>	<u>Moderately Adverse</u>	<u>Modest, if any</u>
		100.0%

*n=2*



**Poll Response by SIC Industry**  
**Flathead County**

**SIC Industry:** 7600 Miscellaneous Repair Services

\* Responses in Percentages

**Employment Levels**

<u>Stable</u>	<u>Declining</u>	<u>Growing</u>
100.0%		

**Perceived Impact of New Businesses**

<u>Hypothetical Business</u>	<u>Adverse</u>	<u>None</u>	<u>Positive</u>	<u>Uncertain</u>
------------------------------	----------------	-------------	-----------------	------------------

High Technology Firms	100.0%	
Bank	100.0%	
Professional Office Building	100.0%	
Motel	100.0%	
Retail Warehouse	50.0%	50.0%
Restaurant	100.0%	
Small Office Complex	100.0%	
Gas and Convenience Store	100.0%	
Dental/Medical Clinic	100.0%	
Apartments	100.0%	
Grocery Store	100.0%	
Barber and Beauty Shop	100.0%	
Specialty Retail Stores	50.0%	50.0%
Car Wash	100.0%	
Equestrian Center	100.0%	

**Impact of Business at Proposed Location**

<u>Significantly Adverse</u>	<u>Moderately Adverse</u>	<u>Modest, if any</u>
	50.0%	50.0%

*n=2*



**Poll Response by SIC Industry**  
**Flathead County**

***SIC Industry:*** 7900 Amusement and Recreation Services

\* Responses in Percentages

**Employment Levels**

	<u>Stable</u>	<u>Declining</u>	<u>Growing</u>
	66.7%	33.3%	

**Perceived Impact of New Businesses**

<u>Hypothetical Business</u>	<u>Adverse</u>	<u>None</u>	<u>Positive</u>	<u>Uncertain</u>
High Technology Firms	33.3%	33.3%	33.3%	
Bank	33.3%	33.3%		33.3%
Professional Office Building		33.3%	33.3%	33.3%
Motel		66.7%	33.3%	
Retail Warehouse		66.7%	33.3%	
Restaurant	33.3%	33.3%	33.3%	
Small Office Complex	33.3%	66.7%		
Gas and Convenience Store	33.3%	33.3%	33.3%	
Dental/Medical Clinic		66.7%	33.3%	
Apartments		100.0%		
Grocery Store	50%	50.0%		
Barber and Beauty Shop		100.0%		
Specialty Retail Stores	50.0%			50.0%
Car Wash		100.0%		
Equestrian Center		100.0%		

**Impact of Business at Proposed Location**

<u>Significantly Adverse</u>	<u>Moderately Adverse</u>	<u>Modest, if any</u>
		100.0%

*n=3*



**Poll Response by SIC Industry**  
**Flathead County**

SIC Industry: 8000 Health Services

\* Responses in Percentages

**Employment Levels**

	<u>Stable</u>	<u>Declining</u>	<u>Growing</u>
	66.7%		33.3%

**Perceived Impact of New Businesses**

<u>Hypothetical Business</u>	<u>Adverse</u>	<u>None</u>	<u>Positive</u>	<u>Uncertain</u>
High Technology Firms		66.7%	33.3%	
Bank		33.3%		66.7%
Professional Office Building		33.3%	33.3%	33.3%
Motel		66.7%	33.3%	
Retail Warehouse		66.7%	33.3%	
Restaurant		66.7%	33.3%	
Small Office Complex		33.3%		66.7%
Gas and Convenience Store		66.7%		33.3%
Dental/Medical Clinic	33.3%			66.70%
Apartments		33.3%	66.7%	
Grocery Store		33.3%	66.7%	
Barber and Beauty Shop		100.0%		
Specialty Retail Stores		66.7%	33.3%	
Car Wash		100.0%		
Equestrian Center		100.0%		

**Impact of Business at Proposed Location**

<u>Significantly Adverse</u>	<u>Moderately Adverse</u>	<u>Modest, if any</u>
		100.0%

*n=3*



**Poll Response by SIC Industry**  
**Flathead County**

SIC Industry: 8100 Legal Services

\* Responses in Percentages

**Employment Levels**

<u>Stable</u>	<u>Declining</u>	<u>Growing</u>
100.0%		

**Perceived Impact of New Businesses**

<u>Hypothetical Business</u>	<u>Adverse</u>	<u>None</u>	<u>Positive</u>	<u>Uncertain</u>
High Technology Firms		50.0%	50.0%	
Bank		50.0%	50.0%	
Professional Office Building		100.0%		
Motel		50.0%	50.0%	
Retail Warehouse		50.0%		50.0%
Restaurant		100.0%		
Small Office Complex		50.0%	50.0%	
Gas and Convenience Store		100.0%		
Dental/Medical Clinic		100.0%		
Apartments		100.0%		
Grocery Store		100.0%		
Barber and Beauty Shop		100.0%		
Specialty Retail Stores		100.0%		
Car Wash		100.0%		
Equestrian Center		100.0%		

**Impact of Business at Proposed Location**

<u>Significantly Adverse</u>	<u>Moderately Adverse</u>	<u>Modest, if any</u>
		100.0%

*n=2*



**Poll Response by SIC Industry**  
**Flathead County**

**SIC Industry:** 8300 Social Services

\* Responses in Percentages

**Employment Levels**

	<u>Stable</u>	<u>Declining</u>	<u>Growing</u>
			100.0%

**Perceived Impact of New Businesses**

<u>Hypothetical Business</u>	<u>Adverse</u>	<u>None</u>	<u>Positive</u>	<u>Uncertain</u>
High Technology Firms			100.0%	
Bank		100.0%		
Professional Office Building			100.0%	
Motel				100.0%
Retail Warehouse			100.0%	
Restaurant				100.0%
Small Office Complex			100.0%	
Gas and Convenience Store				100.0%
Dental/Medical Clinic		100.0%		
Apartments				
Grocery Store				100.0%
Barber and Beauty Shop		100.0%		
Specialty Retail Stores				100.0%
Car Wash	100.0%			
Equestrian Center	100.0%			

**Impact of Business at Proposed Location**

<u>Significantly Adverse</u>	<u>Moderately Adverse</u>	<u>Modest, if any</u>
		100.0%

*n=1*



**Poll Response by SIC Industry**  
**Flathead County**

**SIC Industry:** 8400 Museums, Art Galleries, and Botanical and Zoological Gardens

\* Responses in Percentages

**Employment Levels**

	<u>Stable</u>	<u>Declining</u>	<u>Growing</u>
	75.0%		25.0%

**Pereceived Impact of New Businesses**

<u>Hypothetical Business</u>	<u>Adverse</u>	<u>None</u>	<u>Positive</u>	<u>Uncertain</u>
High Technology Firms		40.0%	60.0%	
Bank		60.0%	40.0%	
Professional Office Building		60.0%	40.0%	
Motel	20.0%	60.0%		20.0%
Retail Warehouse	20.0%	40.0%	20.0%	20.0%
Restaurant	20.0%	20.0%	60.0%	
Small Office Complex		60.0%	40.0%	
Gas and Convenience Store		60.0%	40.0%	
Dental/Medical Clinic		40.0%	60.0%	
Apartments	40.0%	40.0%		20.0%
Grocery Store		60.0%	40.0%	
Barber and Beauty Shop		60.0%	40.0%	
Specialty Retail Stores	20.0%	20.0%	20.0%	40.0%
Car Wash		60.0%	40.0%	
Equestrian Center		40.0%	40.0%	20.0%

**Impact of Business at Proposed Location**

<u>Significantly Adverse</u>	<u>Moderately Adverse</u>	<u>Modest, if any</u>
25.0%	50.0%	25.0%

*n=5*



**Poll Response by SIC Industry**  
**Flathead County**

**SIC Industry:** 8700 Engineering, Accounting, Research, Management, Related Services

\* Responses in Percentages

**Employment Levels**

<u>Stable</u>	<u>Declining</u>	<u>Growing</u>
100.0%		

**Perceived Impact of New Businesses**

<u>Hypothetical Business</u>	<u>Adverse</u>	<u>None</u>	<u>Positive</u>	<u>Uncertain</u>
High Technology Firms		50.0%	50.0%	
Bank			100.0%	
Professional Office Building	50.0%		50.0%	
Motel		50.0%	50.0%	
Retail Warehouse		50.0%	50.0%	
Restaurant		50.0%	50.0%	
Small Office Complex	50.0%		50.0%	
Gas and Convenience Store		50.0%	50.0%	
Dental/Medical Clinic		50.0%	50.0%	
Apartments		100.0%		
Grocery Store		50.0%	50.0%	
Barber and Beauty Shop		50.0%	50.0%	
Specialty Retail Stores		50.0%	50.0%	
Car Wash		50.0%	50.0%	
Equestrian Center		50.0%	50.0%	

**Impact of Business at Proposed Location**

<u>Significantly Adverse</u>	<u>Moderately Adverse</u>	<u>Modest, if any</u>
		100.0%

*n=2*



**Poll Response by SIC Industry**  
**Flathead County**

**Number of Polls filled out: 115**

**Number of Businesses Represented: 114**

**Number of Industries Covered by Poll: 25**

*By Industry: Viewed as Direct Competition, and Comments*

3500

*Direct Competition:*

Dell  
Compact

4700

*Direct Competition:*

Internet  
Other Travel Agencies

4800

*Direct Competition:*

Any telecommunications provider in the nation

*Comments:*

Regarding question #4:

I really take exception to the fact that the competitive nature of business which might locate on this property will be used in determining whether this property is developed. I find it very upsetting that just because a new business might be competitive with existing businesses that the new business would be denied the right to exist solely because it might injure someone already here.

In my mind, this has nothing to do in determining if a new business should be allowed to develop.

I happen to be in favor of allowing the state to proceed with the development of this property. Be it commercial, warehouse, industrial, residential, professional office, retail business, or any combination of these.

A longtime Kalispell businessman.

5200

*Direct Competition:*

Other Paint Stores



5400

*Direct Competition:*  
Other Food Stores  
Mail order  
Internet

5500

*Direct Competition:*  
Other Service stations

5600

*Direct Competition:*  
Bridal-Dress, Tux Retail or Rental stores  
Clothing Stores  
Mall Stores  
Wal-Mart  
K-Mart  
Screen Printers  
T-shirt stores  
Some Sporting Goods stores  
"Box" Stores  
Athletic clothing stores

*Comments:*

Too much retail.  
We are all competing for the same limited \$\$\$

5700

*Direct Competition:*  
Wal-Mart  
Internet  
Toll Free Numbers  
Pirating  
"Warehouse" stores  
Electronics Stores  
Shopco  
Music Stores  
Mail-order  
Internet  
Kitchen Stores  
Staples  
Furniture Stores



*Comments:*

We need change

5800

*Direct Competition:*

Restaurants  
Coffee Shops  
Specialty Food Shops  
Bars  
Certain Hotels  
Fast Food places  
Any Food Store

*Comments:*

Good reliable help is in decline.

5900

*Direct Competition:*

Gift Item Stores  
"Box" Stores  
Chain Stores  
Jewelry Stores  
Specialty Stores  
Book Stores  
Embroidery Businesses  
Antique Stores\*  
Gift Stores  
Internet  
Pharmacies  
Sporting Goods Stores  
General Stores  
Ranching Stores  
Floral Shops  
Tobacco Accessories Stores  
Golf Stores

*Comments:*

I think all Downtown Businesses & even the Kalispell Mall Businesses would be extremely adversely affected if a big Shopping mall Complex were to go in on the corner of Reserve and Hwy 93.

\* However I feel they enhance my business as they attract more antiques to town.

I believe there are only X number of dollars in the Valley. The more retail there is, the smaller the pieces of the pie for all. I realize the population is growing and maybe we get shoppers from outside the



valley to some degree. We all have the added "retail" to deal with on the internet.

Not in favor of Home Depot Development or Target.

6000

*Direct Competition:*

Banks

Loan Businesses

Credit Unions

Financial Service companies

Insurance companies

Mortgage companies

other Financial Institutions

6300

*Direct Competition:*

Insurance Companies

outside sales

6500

*Direct Competition:*

City

6700

*Direct Competition:*

Full Service Brokerage Firms

7000

*Direct Competition:*

Hotels

Certain Food Places

7200

*Direct Competition:*

Barber Shops

Salons

Tattoo Shops

*Comments:*

Anything that happens will be positive.



7300

*Direct Competition:*  
Office Supply Stores  
Copy Shops  
Printers

7500

*Direct Competition:*  
Automobile Service places  
Quick Lube places

*Comments:*

All of these businesses would have a positive impact from the standpoint that business attracts more business and more jobs, meaning more people who could possibly use my services. The positive impact would be much greater if the development was closer to my business.

7600

*Direct Competition:*  
Specialty Repair places

7900

*Direct Competition:*  
Athletic Clubs  
Casinos

8000

*Direct Competition:*  
Chiropractors  
Hearing places  
Dentists

8100

*Direct Competition:*  
Lawyers  
Law Firms

8300

*Direct Competition:*  
Government Expansion in the Field of Social Services

8400

*Direct Competition:*  
Artists  
Art Galleries



Framers  
"Box" Stores

*Comments:*

There is the threat of lack of business.  
We don't need any more development.

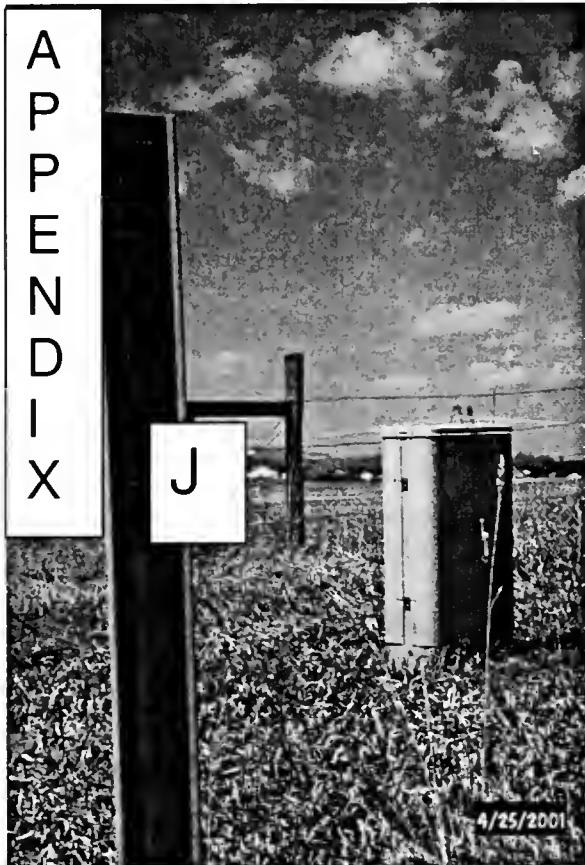
8700

*Direct Competition:*  
Accountants  
Tax Preparers



# SECTION 36 EIS

APPENDIX





## Appendix J

**Part I, Section 1.4.2 of the Section 36 DEIS provides a list of relevant planning documents. In addition to those listed in that section of the EIS, additional references include those listed below.**

### References for Aquifer Study

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Noble, R.A., R.N. Bergantino, T.W. Patton, B.C. Sholes, F. Daniel, and J. Schofield, 1982, Occurrence and Characteristics of Ground Water in Montana: Montana Bureau of Mines and Geology Open-File Report 99, vol. 2, 132 p.

Noble, R.A., 1998, Groundwater Resources of the Upper Flathead Basin, Interpreting the Landscape Through Science Symposium, Flathead Valley Community College, pp 11-14.

Smith, L.N., 2000, Surficial Geologic Map of the upper Flathead River valley (Kalispell Valley) Area, Flathead County, Northwestern Montana, Groundwater Assessment Atlas No. 2, Part B, Map 6.

Theis, C.V., 1935, *The relationship between the lowering of the piezometric surface and the rate and duration of a well using groundwater storage*. Trans. Amer. Geophysical Union, vol. 16, pp. 519 – 524.

United States Environmental Protection Agency Region VIII, 1999, Source Water Assessment Training Manual, 145

### References for Economics

IMPLAN, Minnesota Implan Group, Inc., June, 2000, Stillwater, Minnesota.

“The Dynamics of Technology-Based Economic Development,” Office of Technology Policy, Department of Commerce, June, 2000.



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U.S. Department of Commerce, Bureau of Economic Analysis

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Federal Reserve System Board of Governors

Standard and Poor's Register of Corporations, Directors, and Executives, McGraw-Hill Companies, Inc. 2000.

U.S. Census Bureau, 1997 Economic Census, June 22, 1999.

U.S. Census Bureau, County Business Patterns, 1998 and 1999.

### **References for Transportation**

Transportation Research Board's **Highway Capacity Manual (HCM) – Special Report 209** and the **Highway Capacity Software (HCS)**, 2000 version.

Institute of Transportation Engineer's Trip Generation, 6<sup>th</sup> Edition.

### **References for Soils**

USDA Soil Conservation Service, 1960, Soil Survey of Upper Flathead Valley, Montana, 67 pp., Volume 4.





Thirty copies of this document were published at an approximate cost of \$7.00 per copy and \$3.50 for mailing.



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